



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau

# **Child and Family Services Review**

## ***Summary of Findings***

### **TEXAS**

### **JUNE 2002**

**U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau**

## **EXECUTIVE SUMMARY CHILD AND FAMILY SERVICES REVIEW TEXAS**

The Child and Family Services Review (CFSR) assesses State performance during a specified time period with respect to seven child welfare outcomes in the areas of safety, permanency, and well-being and with respect to seven systemic factors. The assessment is based on information from the following sources:

- The Statewide Assessment prepared by the State child welfare agency—the Department of Protective and Regulatory Services (PRS);
- The State Data Profile prepared by the Children's Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases from three counties in the State; and
- Interviews or focus groups (conducted in all three counties and in the State capital) with a wide range of State and local stakeholders including children, parents, foster parents, various levels of State and local PRS personnel, collaborating agency personnel, school personnel, mental health providers, court personnel, legislators, and attorneys.

The State achieved substantial conformity with all seven systemic factors with many documented strengths, for example:

- The Statewide Information System - Child and Adult Protective System (CAPS);
- Agency Responsiveness to the Community, including the Strength Through External Partners (STEP) initiative;
- The Case Review System, including administrative and judicial reviews, and;
- The advanced Quality Assurance System, which significantly mirrors the CFSR process.

The State, however, did not achieve substantial conformity with six of the seven safety, permanency, and well-being outcomes and the State also did not meet the national standards for measures relating to the length of time to achieve adoption and to children's placement stability while in foster care. The most significant concern with regard to outcomes is the State's inconsistency in achieving permanency for children in foster care. For example, Permanency Outcome 1—Children have permanency and stability in their living situations—was found to be substantially achieved in only 72 percent of the cases reviewed. Key areas assessed as part of this outcome that were identified as needing improvement were the stability of foster care placements (item 6), the appropriateness of the permanency goal for children (item 7), attainment of permanency through reunification, guardianship, or permanent placement with relatives (item 8), and attainment of permanency through adoption (item 9).

The State also did not achieve substantial conformity with Safety Outcome 1 (Children are, first and foremost, protected from abuse and neglect) or Safety Outcome 2 (Children are safely maintained in their homes whenever possible and appropriate). During the case review, 86 percent of the cases were found to have been substantially achieved for Safety Outcome 1 and 77.6 percent of the cases were found to have been substantially achieved for Safety Outcome 2. Key areas assessed as part of these outcomes that were identified as needing improvement involved the provision of services to families to protect children in home and prevent removal (item 3) and managing the risk of harm to children (item 4). The State did significantly meet the national standards related to repeat maltreatment and maltreatment of children in foster care.

Another area of concern related to Child Well Being Outcome 1—Families have enhanced capacity to provide for their children's needs. During the case review, only 70 percent of the cases were found to have substantially achieved this outcome, which included assessments of whether children and families received needed services (item 17), children and families were involved in case planning (item 18), and the frequency of caseworker visits with children and parents (items 19 and 20).

Finally, the State also was not in substantial conformity with Child Well Being Outcome 2 (Children receive appropriate services to meet their educational needs) or Child Well Being Outcome 3 (Children receive adequate services to meet their physical and mental health needs). For Well Being Outcome 2, 84.2 percent of the cases were found to have substantially achieved the outcome and for Well Being Outcome 3, 72.9 percent of the cases were found to have substantially achieved the outcome.

Despite these areas of concern, the State was found to be in substantial conformity with Permanency Outcome 2—The continuity of family relationships and connections is preserved for children—with 93.8 percent of the cases reviewed reported to have substantially achieved this outcome. The State also met the national standards for measures relating to maltreatment recurrence, maltreatment in foster care, re-entries into foster care, and achieving finalized adoptions within 24 months of entry into foster care. In addition, the following individual items assessed for the seven outcomes were rated as a Strength

- Initiating investigations to child maltreatment reports in a timely manner and consistent with agency policy guidelines (item 1).
- Preventing repeat maltreatment (item 2).
- Preventing foster care re-entry (item 5).
- Implementing diligent efforts to achieve other planned permanent living arrangements (item 10).
- Placing children in close proximity to their biological families (item 11) and with relatives (item 15) when possible and in the children's best interest and promoting relationships between children in care and their parents (item 16).
- Encouraging visitation with parents and siblings (item 13).

In contrast to the assessment of performance on outcome measures, the CFSR process determined that the State was in substantial conformity with all seven systemic factors. The only indicators identified as needing improvement with respect to systemic factors concerned the involvement of parents in developing case plans (item 25), the variation in the availability of needed services across the State (item 36), and the need to recruit more foster care and adoptive families (item 44).

The following is a summary of the CFSR findings with respect to outcomes and systemic factors.

## KEY FINDINGS RELATED TO OUTCOMES

### I. SAFETY

*Outcome S1: Children are, first and foremost, protected from abuse and neglect.*

#### **Status of Safety Outcome S1 – Not in Substantial Conformity**

The Texas Department of Protective and Regulatory Services was in substantial conformity to the national standards related to Abuse and Neglect in foster care. However, Texas did not achieve substantial conformity with Safety Outcome 1 because 86 percent of applicable cases were rated as having substantially achieved Safety Outcome 1, which is less than the 90 percent required for substantial conformity. Although the indicators assessed as part of this outcome were both rated as a Strength, there were 7 cases rated as Area Needing Improvement in relation to the two relevant items for this outcome, which resulted in those cases being rated as having partially achieved, rather than having substantially achieved, the outcome.

#### **Item 1. Timeliness of initiating investigations of reports of child maltreatment**

Item 1 was assigned an overall rating of Strength based on the finding that in 92 percent of the cases, the State responded to a maltreatment report in a timely manner. Two of the stakeholders commenting on this issue noted that the State has begun to implement an Internet reporting system that they believe will further expedite response time. This system appears to have been recently piloted with school professionals and to have been positively received by this group.

#### **Item 2. Repeat maltreatment**

Item 2 was assigned an overall rating of Strength based on the following findings:

- In 90 percent of the cases, there were no instances of multiple substantiated or indicated maltreatment reports occurring 6 months apart and during the period under review; and
- According to the State data profile, the incidence of repeat maltreatment in the State was 4.2 percent, which meets the national standard of 6.1 percent.
- According to the State data profile, the incidence of maltreatment of children in foster care was .29 percent, which meets the national standard of .57 percent.

***Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.***

**Status of Safety Outcome S2 – Not in Substantial Conformity**

Texas did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that 77.6 percent of the cases reviewed were rated as having substantially achieved this outcome, which is less than the 90 percent required for an overall rating of substantial conformity. A summary of findings of the specific items assessed relevant to this outcome is presented below.

**Item 3. Services to family to protect child(ren) in home and prevent removal**

Item 3 was assigned an overall rating of Area Needing Improvement. In 81 percent of the applicable cases reviewers found that the State had made diligent efforts to maintain children safely in their homes, but there were concerns related to this issue in 19 percent of the applicable cases reviewed. One problem identified was a lack of consistency with regard to the State's efforts to follow up with families on service participation. Another concern was that the workers are not always consistent in their efforts to assess families or provide families with needed services. Stakeholders attributed both of these problems to the high levels of caseworker turnover experienced in the State. Stakeholders suggested that caseworker turnover usually results in additional caseload burdens for remaining staff and/or cases being assigned to new staff before they have sufficient experience and training.

**Item 4. Risk of harm to child**

Item 4 was assigned an overall rating of Area Needing Improvement. In 80 percent of the applicable cases reviewers determined that the State had made diligent efforts to reduce the risk of harm to children, but there were concerns related to this issue in 20 percent of the applicable cases reviewed. As noted in the Statewide Assessment, the implementation of a risk-based rather than an incident-based assessment correlates with an increase in the rate of children entering substitute care as a result of an investigation, and an increase in the number of cases "screened in" for investigation. However, stakeholders, while praising the risk assessment approach, expressed the opinion that high rates of worker turnover and high caseloads have a negative impact on the ability of the workers to adequately follow up on information obtained through the risk assessment process to reduce risk in cases in which children remain in their homes.

**II. PERMANENCY**

***Outcome P1: Children have permanency and stability in their living situations.***

**Status of Permanency Outcome P1 – Not in Substantial Conformity**

Texas did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the finding that 71.9 percent of the cases reviewed were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for an overall rating of substantial conformity. In addition, the State did not meet the national standards for the percentage of reunifications

occurring within 12 months of removal from home or the percentage of children with two or fewer placements during their first 12 months in foster care. However, the State did meet the national standards for the percentage of adoptions occurring within 24 months of removal from home, and the percentage of entries into foster care in Federal Fiscal Year 1999 that were re-entries within 12 months of a discharge from a prior foster care episode. A summary of findings of the specific items assessed relevant to this outcome is presented below.

#### **Item 5. Foster care re-entries**

Item 5 was assigned an overall rating of Strength because the State incidence of foster-care re-entry (1.5%) meets the national standard of 8.6 percent and the item was rated as a Strength in 91 percent of the 32 applicable cases. The Statewide Assessment suggests that there may be an error in the AFCARS extract with respect to the number of removal episodes and that the incidence of foster care re-entry in the State may be higher than that indicated in the State Data Profile. However, the Statewide Assessment also indicated that the higher ratings are still within the national standards. The Statewide Assessment attributes the low rate of foster care re-entry in part to the policy of maintaining open cases for 3 to 6 months after reunifying children before terminating PRS legal responsibility.

#### **Item 6. Stability of foster care placement**

Item 6 was assigned an overall rating of Area Needing Improvement. In 78 percent of the applicable cases reviewers determined that children had stability in their foster care placements, but there were concerns related to stability of foster care placements in 22 percent of the applicable cases reviewed. In addition, the State's percentage of children in foster care who experienced no more than 2 placements during their first 12 months (71.2%) did not meet the national standard of 86.7 percent. The Statewide Assessment attributed the incidence of multiple moves in foster care to (1) insufficient placement resources; (2) the practice of initially placing children in emergency placements for assessment purposes; (3) unplanned requests by foster parents to have the child removed; and (4) the State level of care system that can result in the movement of children into other placement settings to meet the children's needs. Both stakeholders and case reviews indicated that children are placed in emergency placements for reasons other than assessment, and there is some indication that if the State provided greater supports to foster parents, they may be less likely to request a child's removal from their homes.

#### **Item 7. Permanency goal for child**

This item was assigned an overall rating of Area Needing Improvement. In 78 percent of the applicable cases reviewed reviewers determined that the State had established an appropriate goal in a timely manner, but there were concerns regarding appropriateness of permanency goals in 22 percent of the applicable cases reviewed. The Statewide Assessment noted that it is State policy for staff to seek to have children in permanent placements within 12 months from the date they come into care, to the extent possible depending on the child's particular needs and circumstances and the available resources. The Statewide Assessment also noted that a permanency goal is considered achieved when the child is in the placement that is intended to be permanent and is consistent with the permanency goal, and appropriate legal action has been achieved.

**Item 8. Reunification, Guardianship or Permanent Placement with Relatives**

This item was assigned an overall rating of Area Needing Improvement primarily because the State's percentage of reunifications occurring within 12 months of entry into foster care (64.4%) did not meet the national standard (76.2%). In understanding the State's data with respect to reunifications occurring within 12 months of removal, it is important to take into account the State policy of maintaining legal custody for 3 to 6 months after physical reunification. While this policy may adversely affect the State's ability to meet the national standard with respect to reunification, it enhances the State's ability to meet the national standard with respect to foster care re-entries. Consequently, it may be seen as supporting children's safety.

**Item 9. Adoption**

Item 9 was assigned an overall rating of Area Needing Improvement because, although the State's percentage of finalized adoptions within 24 months of entry into foster care (43.7%) meets the national standard of 32 percent, the case review process found that 43 percent of the applicable cases were rated as an Area Needing Improvement for this item. In addition, stakeholders commenting on this issue tended to view timeliness of adoptions as a key issue for the State.

**Item 10. Permanency goal of other planned permanent living arrangement**

This item was assigned an overall rating of Strength because the item was rated as a Strength in all applicable cases. Information provided in the Statewide Assessment supports stakeholders' opinions regarding the strength of programs providing independent living services to youth who are expected to eventually be emancipated from the foster care system. In addition, the Statewide Assessment noted that although long-term foster care is an allowable permanent solution under the Texas permanency statutes, it is not an option that the State routinely chooses for children. In fact, a caseworker cannot select this permanency goal until approval is given by a program director.

*Outcome P2: The continuity of family relationships and connections is preserved for children.*

**Status of Permanency Outcome P2 – Substantial Conformity**

Texas achieved substantial conformity with Permanency Outcome 2. This determination was based on the finding that reviewers rated this outcome as substantially achieved in 93.8 percent of the cases, which exceeds the 90 percent required for a finding of substantial conformity.

**Item 11. Proximity of foster care placement**

Item 11 was assigned an overall rating of Strength because in all applicable cases children were placed in close proximity to parents or close relatives. This is consistent with information provided in the Statewide Assessment indicating that the State makes every effort to place children in close proximity to their home of origin. As noted in the Statewide Assessment, 30.5 percent of Texas children are placed "out of area," and this usually occurs when the local area does not have resources for children with serious behavioral or mental health problems.

**Item 12. Placement with siblings**

Item 12 was assigned an overall rating of Area Needing Improvement. In 84 percent of applicable cases reviewers determined that the State had made diligent efforts to keep siblings together, but there were concerns regarding placement with siblings in 16 percent of the applicable cases reviewed. Information in the Statewide Assessment suggests that one of the problems in maintaining siblings together is the shortage of foster homes, particularly homes that can take large sibling groups.

**Item 13. Visiting with parents and siblings in foster care**

Item 13 was assigned an overall rating of Strength based on the finding that in 85 percent of the cases reviewers determined that the State had made diligent efforts to facilitate visits between the child and his or her parents and siblings. The Statewide Assessment provides support for this finding and indicates that while a child is in foster care, the parents and the child have a right to maintain regular contact with one another unless the court restricts contact or the parents have voluntarily relinquished parental rights or had their parental rights terminated by the court.

**Item 14. Preserving connections**

Item 14 was assigned an overall rating of Area Needing Improvement. In 84 percent of the applicable cases the reviewers determined that the State had made diligent efforts to preserve the child's connections, but there were concerns regarding preserving connections in 16 percent of the applicable cases reviewed. Although there were many cases in which reviewers noted that connections were maintained, there was a lack of consistency across workers in making efforts to maintain these connections. This may be attributed to worker turnover that results in caseworkers who do not have extensive experience in maintaining children's linkages to their families, heritage, and communities.

**Item 15. Relative placement**

Item 15 was assigned an overall rating of Strength based on the finding that in 94 percent of the applicable cases reviewed, reviewers determined that the State had made diligent efforts to access and assess relatives as potential placement resources for children in foster care.

**Item 16. Relationship of child in care with parents**

Item 16 was assigned an overall rating of Strength because in all applicable cases, reviewers determined that the State had made diligent efforts to maintain and support the bond between parents and children.

**III. WELL-BEING**

*Outcome WB1: Families have enhanced capacity to provide for their children's needs.*

**Status of Well-Being Outcome WB1 – Not in Substantial Conformity**



Texas did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that this outcome was rated as substantially achieved for 70 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

**Item 17. Needs and services of child, parents, foster parents**

Item 17 was assigned an overall rating of Area Needing Improvement. In 72 percent of the applicable cases reviewers felt that the needs and services of children, parents, and/or foster parents had been adequately addressed by the State, but there were concerns regarding this issue in 28 percent of the applicable cases reviewed. The key problems identified were a lack of availability of key services, and a lack of caseworker follow up with families to ensure that services are in place.

**Item 18. Child and family involvement in case planning**

Item 18 was assigned an overall rating of Area Needing Improvement. In 79 percent of the applicable cases reviewers determined that parents and children had been appropriately involved in the case planning process, but there were concerns regarding this issue in 21 percent of the applicable cases reviewed. This finding is somewhat contrary to information reported in the Statewide Assessment. According to the Statewide Assessment, CPS policy and Licensing standards require that parents be invited to participate in developing the child's case plan unless the parents cannot be found, parental rights have been terminated, or the parents have refused to participate in the child's case. Despite these policies, the case reviews indicate that there continue to be cases in which parents and/or children are not adequately involved in the planning process.

**Item 19. Worker visits with child**

Item 19 was assigned an overall rating of Area Needing Improvement. In 82 percent of the applicable cases reviewers determined that the frequency of worker visits with children was sufficient to support their safety and well-being, but there were concerns related to worker visits with children in 18 percent of the applicable cases reviewed. Although as noted in the Statewide Assessment, PRS policy requires at least one monthly contact between the caseworker and the child/caregivers for foster care cases, and appropriate contact with children in FBSS cases, the case reviews indicate that there is not consistent adherence to this policy.

**Item 20. Worker visits with parents**

Item 20 was assigned an overall rating of Area Needing Improvement. In 81 percent of the applicable cases reviewers determined that the frequency of workers' visits with parents was sufficient to ensure children's safety and well-being, but there were concerns related to workers' visits with parents in 19 percent of the applicable cases reviewed. In the cases where there were concerns regarding workers' visits with parents reviewers determined that the frequency of workers' visits with parents was not sufficient to ensure children's safety and well-being and typically occurred less frequently than once a month. All of the cases assigned a rating of Area Needing Improvement for this item were in the urban county, which also experienced high levels of caseworker turnover. Consequently, caseworker turnover may again be responsible for the inconsistencies in case practice with respect to visits with parents. According to the Statewide Assessment, although

Texas policy requires sufficient contact with parents, worker turnover and caseload sizes may be significant barriers to full adherence to policy requirements.

***Outcome WB2: Children receive appropriate services to meet their educational needs.***

**Status of Well-Being Outcome WB2 – Not in Substantial Conformity**

Texas did not achieve substantial conformity with Well-Being Outcome 2. This determination was based on the finding that only 84.2 percent of the applicable cases reviewed were rated as having substantially achieved this outcome, which is less than the 90 percent required for substantial conformity.

**Item 21. Educational needs of the child.**

Item 21 was assigned an overall rating of Area Needing Improvement because the State did not achieve substantial conformity with Well-Being Outcome 2, which involves the assessment of item 21 alone. Also, in 16 percent of the applicable cases, reviewers determined that the State had not acted appropriately in meeting the children's educational needs. Findings of the Statewide Assessment are consistent with the case review findings with respect to foster care cases, but not with respect to in-home services cases. According to the Statewide Assessment, case readings conducted in preparation for the Federal Review indicated that educational issues for children in foster care were appropriately addressed in 83.3 percent of cases read and educational issues for children in FBSS cases were appropriately addressed in 100 percent of cases read.

***Outcome WB3: Children receive adequate services to meet their physical and mental health needs.***

**Status Of Well-Being Outcome 3 - Not in Substantial Conformity**

Texas did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in 72.9 percent of the cases, which is less than the 90 percent required for a determination of substantial conformity. A summary of findings for specific items assessed as relevant to this outcome is presented below.

**Item 22. Physical health of the child**

Item 22 was assigned an overall rating of Area Needing Improvement. In 82 percent of the applicable cases reviewers determined that the State had been effective in meeting the health care needs of the children, but there were concerns related to this issue in 18 percent of the applicable cases reviewed. The key problems identified with respect to foster care cases were (1) failure to conduct a health assessment in a timely manner and (2) a lack of documentation in the case record of health information, such as immunization records, and services provided in response to health assessments. The key problem identified for in-home services cases was that there were health issues of concern for the children, but the State did not address them. According to the Statewide Assessment, these findings are contrary to Texas' policy. The

Statewide Assessment noted that case readings conducted in preparation for the Federal Review found that health issues for children in FBSS cases were appropriately addressed in 90.9 percent of cases read.

**Item 23. Mental health of the child**

Item 23 was assigned an overall rating of Area Needing Improvement. In 82.5 percent of the applicable cases reviewers determined that the State had been effective in meeting the mental health needs of the children, but there were concerns related to this issue in 17.5 percent of the applicable cases reviewed. According to the Statewide Assessment, case readings conducted in preparation for the Federal Review indicated that mental health issues for children in care were appropriately addressed in 91.7 percent of cases read and mental health issues for children in FBSS cases were being appropriately addressed in 80 percent of cases read.

**KEY FINDINGS RELATING TO SYSTEMIC FACTORS**

**IV. STATEWIDE INFORMATION SYSTEM**

**Status of Statewide Information System – Substantial Conformity**

Texas is in substantial conformity with the factor of Statewide Information System. Findings with respect to the item assessed for this factor are presented below.

**Item 24. State is operating a Statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months has been in foster care.**

Item 24 was assigned a rating of Strength because the Texas Statewide information system and related data and information technology capabilities far exceed the requirements of the review. The Texas Child and Adult Protective System (CAPS) was implemented in 1996 and functions as Texas's comprehensive Statewide Automated Child Welfare Information System (SACWIS). CAPS is available statewide 24 hours a day, 7 days a week and supports all aspects of casework from intake to post adoption services. CAPS also supports Adult Protective Services (APS) and Child Care Licensing (CCL) casework and investigations. CAPS goes far beyond being able to identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

## **V. CASE REVIEW SYSTEM**

### **Status With Regard To Case Review System - Substantial Conformity**

Texas is in substantial conformity with the factor of Case Review System. Findings with respect to specific items assessed for this factor are presented below.

**Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions**

Item 25 is rated as an Area Needing Improvement because although PRS ensures that every child has a written case plan, there is evidence from the CFSR that involving parents as partners in developing the case plan is not always a consistent practice among caseworkers.

**Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.**

Item 26 was assigned a rating of Strength because the general finding of the CFSR process was that PRS provides periodic administrative and sometimes court reviews of the status of each child at least once every 6 months. The Statewide Assessment also notes that although Federal requirements are to have either administrative or court reviews, Texas does both.

**Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.**

Item 27 is rated as a Strength because PRS policy ensures that each child in foster care has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter. As noted in the Statewide Assessment, Texas employs both administrative and court hearings to review children's progress toward permanency.

**Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.**

Item 28 is rated as a Strength because the Texas permanency initiative/legislation exceeds ASFA requirements. According to the Statewide Assessment, legislation was passed in Texas in June 1997 that launched a permanency initiative beginning on January 1, 1998 to bring prompt legal resolution to PRS cases. Under this legislation, children who come into the State's temporary legal care must have final legal orders issued within 12 months, with the possibility of a one-time, 6-month, court-ordered extension.

**Item 29. Provides a process for foster parents, preadoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.**

Item 29 was rated as a Strength because the State provides a process for notifying foster parents, pre-adoptive parents, and relative caregivers regarding reviews and hearings and provides an opportunity for them to be heard.

## **VI. QUALITY ASSURANCE SYSTEM**

### **Status of Quality Assurance System - Substantial Conformity**

Texas is in substantial conformity with the factor of Quality Assurance System. Findings with respect to the specific items assessed for this factor are presented below.

**Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.**

Item 30 was assigned a rating of Strength because the State has the necessary standards in place. In addition, the State must verify and monitor all of its foster and adoptive homes for compliance with minimum standards before and after verification.

**Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.**

Item 31 was assigned a rating of Strength because the State operates an effective quality assurance (QA) system and is moving toward using the model implemented by the CFSR process. There was general consensus among stakeholders that CAPS is a major facilitating factor in the QA process and that it allows QA to be an ongoing process, because CAPS is an ongoing system. Stakeholders expressed some mixed opinions regarding the involvement of external stakeholders in the QA process, although many stakeholders expressed praise for the STEP (Strength Through External Partnerships) initiative, which involves a survey of all external stakeholders regarding the State's performance in each of the areas covered by the CFSR.

## VII. TRAINING

### **Status With Respect To Training - Substantial Conformity**

Texas is in substantial conformity with the factor of Training. Findings with respect to items assessed for this factor are presented below.

**Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.**

Item 32 was assigned an overall rating of Strength because of the high quality of the State's staff development and training program. According to the Statewide Assessment, the State operates a Basic Skills Development (BSD) training program that is the initial training provided to child welfare agency staff. All newly hired CPS Specialists receive BSD trainings held in each of the eleven regional training units. Upon successful completion of the BSD training, new hires return to assigned units and begin assuming caseload responsibilities.

Another available staff development program is the Supervisor Management Training. The purpose of CPS Supervisor Management training is to provide newly promoted/hired supervisors with knowledge and skills in managing CPS units and supervising CPS caseworkers in the delivery of quality services.

**Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.**

Item 33 was assigned a rating of Strength because there is an array of ongoing training opportunities for staff that address the skills and knowledge base needed to carry out their duties.

**Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.**

Item 34 is rated as a Strength because the State provides quality training for foster parents, adoptive parents, and staff of State licensed or approved facilities. According to the Statewide Assessment, training of foster families is supported through minimum standards and guidelines for child-placing agencies. The only gap remaining in training is in the area of relative placements, which are unlicensed. Efforts to address this issue have begun with an adoption opportunity grant, with expansion to other parts of the state being a possibility. For the most part, training of foster families uses the PRIDE curriculum.

## VIII. SERVICE ARRAY

### **Status of Service Array - Substantial Conformity**

Texas is in substantial conformity with the factor of Service Array. Findings with respect to items assessed for this factor are presented below.

**Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.**

Item 35 is rated as a Strength because the CFSR process indicated that the State has a wide array of services to meet the needs of children and families. According to the Statewide Assessment, there are gaps in the service array associated with insufficient resources. Challenges include waiting lists, filled caseloads, limited placement resources for children with a higher level of mental health needs, language barriers, transportation needs, availability of resources in all parts of the State, and limited funding. Resource development by field staff and contract staff is an ongoing activity. Texas is aggressively pursuing grants and alternative funding sources to enhance its resources.

**Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.**

Item 36 is rated as an Area Needing Improvement because both the CFSR process and the Statewide Assessment determined that access to services is not equal across the State and services are particularly limited in rural areas. The general opinion expressed by stakeholders was that the State was too large and had too many rural areas to have the full range of services in every community. In addition, the services that are scarce in the larger communities, such as substance abuse treatment and mental health services for children, simply do not exist in smaller communities.

**Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.**

Item 37 is rated as a Strength because services can be tailored to meet the unique needs of children and families. Stakeholders suggested that in general, the services that are part of the State's service array can be individualized and that the State does not take a "cookie cutter" approach to providing services.

## IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

### **Status With Regard to Agency Responsiveness to the Community - Substantial Conformity**

Texas is in substantial conformity with the factor of State Responsiveness to the Community. Findings with respect to specific items assessed for this factor are presented below.

**Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.**

Item 38 was assigned a rating of Strength because the general finding of the CFSR review is that the Texas child welfare agency is highly responsive to the community. According to the Statewide Assessment, the value placed on the public/private partnerships, the support of the community towards the State, the attitude towards the community as a key stakeholder, legislative involvement in the process, and the enhanced communication between the State and the community as a whole have improved greatly over the last five years. Community initiatives exist in diverse projects from one end of the State to the other.

**Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.**

Item 39 is rated as a Strength because the State works with community representatives in preparing the State's Child and Family Services Plan and other progress reports. According to the Statewide Assessment, the goals, objectives, and strategies that served as the basis for PRS's initial five-year Child and Family Services Plan (CFSP) for Texas, submitted June 29, 1995, were developed by combining both internal and external consultation into a single process. This process facilitated coordination and collaboration among families, children, providers, funders, and policy makers.

**Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.**

Item 40 was assigned a rating of Strength because the State coordinates its services under the CFSP with other Federal or federally assisted programs serving the same population.

## **X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

### **Status with regard to Foster and Adoptive Parent Licensing, Recruitment, and Retention – Substantial Conformity**

Texas is in substantial conformity with the factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings with respect to specific items assessed for this factor are presented below.

**Item 41. The State has implemented standards for foster family homes and childcare institutions which are reasonably in accord with recommended national standards.**

Item 41 is rated as a Strength because the State has implemented standards that are in accordance with recommended national standards.



**Item 42. The standards are applied to all licensed or approved foster family homes or childcare institutions receiving title IV-E or IV-B funds.**

Item 42 was rated as a Strength because the standards are applied to all licensed or approved foster family homes or childcare institutions receiving title IV-E or IV-B funds. Standards are applied equally to children placed in substitute care both in public and private verified foster care settings, and in relative placements.

**Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.**

Item 43 is rated as a Strength because the State complies with Federal requirements for criminal background clearances.

**Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.**

Item 44 was rated as an Area Needing Improvement because although the State has aggressive recruitment programs, the lack of foster homes and the retention of foster homes is problematic and impacts the State's ability to achieve stability and permanency for children.

**Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.**

Item 45 was rated as a Strength because the State has implemented several initiatives to enhance cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.

## INTRODUCTION

This document presents the findings of the Child and Family Services Review for the State of Texas. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment prepared by the State child welfare agency – the Department of Protective and Regulatory Services (PRS);
- The State Data Profiles prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases at three sites throughout the State; and
- Interviews with stakeholders including children, parents, foster parents, all levels of child welfare agency personnel at State and local offices, school personnel, mental health providers, court personnel, and attorneys. Interviews were conducted in all three sites and in Austin where the State DPRS is located.

The key characteristics of the 50 cases reviewed are the following:

- 26 cases were reviewed in Harris County (Houston), 12 in Cameron County (Brownsville), and 12 in Lubbock County.
- 32 of the 50 cases reviewed were “foster care” cases (cases in which children were in the care and custody of the State child welfare agency and in an out-of-home placement at some time during the period under review), and 18 were “in-home cases” (cases in which families received services while children remained in their homes or in voluntary placements).
- All 50 cases had been open cases at some time during the period under review; 19 of the cases were closed by the State during the period under review. Of the 19 closed cases, 12 (63%) were child protective services cases.
- For the 50 cases reviewed, the primary reasons for opening a child welfare case were the following:
  - Neglect (not including medical neglect) - 21 cases (42%)
  - Physical Abuse - 16 cases (32%)
  - Sexual Abuse - 7 cases (14%)
  - Parental Substance Abuse - 4 cases (8%)
  - Emotional Abuse - 1 case (2%)
  - Medical Neglect - 1 case (2%)

There was no correlation between the type of case (foster care or in-home services) and primary reasons for child welfare agency contact.

- For 26 (81%) of the 32 foster care cases, children entered foster care prior to the period under review and were in foster care during the entire period under review.

The first section of the report presents the CFSR findings relevant to the State’s achieving specific outcomes for children in the areas of safety, permanency and well-being. For each outcome, there is a table providing the degree of outcome achievement by site, a presentation of the State's status with regard to substantial conformity with the outcome, and a discussion of each item assessed as part of the overall outcome

assessment. The second section of the report provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.

## SECTION 1: OUTCOMES

### I. SAFETY

#### Safety Outcome 1

<b>Outcome S1: Children are, first and foremost, protected from abuse and neglect.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Team 1 Cameron</b>	<b>Team 2 Harris</b>	<b>Team 3 Lubbock</b>	<b>Total Number</b>	<b>Total Percentage (of 50 applicable cases)</b>
Substantially Achieved:	10	22	11	43	86
Partially Achieved:	2	4	1	7	14
Not Achieved or Addressed:	0	0	0	0	
Not Applicable:	0	0	0	0	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Repeat maltreatment	6.1%	4.2%	X		
Maltreatment of children in foster care	0.57%	0.29%	X		

#### STATUS OF SAFETY OUTCOME 1:

Texas did not achieve substantial conformity for Safety Outcome 1. This determination was based on the finding that 86 percent of the cases reviewed were rated as having substantially achieved this outcome, which is less than the 90 percent required for an overall rating of substantial conformity. It should be noted that taken individually, the two indicators used to assess this outcome were rated as a Strength in more than 90 percent of the cases. However, because the cases rated as Area Needing Improvement were different for each indicator, there were seven cases for which the outcome was found to be partially achieved. As a result, when the two indicators are considered together, the ratings did not meet the required 90 percent substantial achievement for the outcome.

The findings pertaining to specific items assessed under Safety Outcome 1 are presented and discussed below.

### **Item 1. Timeliness of initiating investigations of reports of child maltreatment**

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** The assessment of item 1 was applicable for 24 of the 50 cases reviewed. Twenty-six cases were not applicable for this assessment because they did not involve reports of child maltreatment during the period under review. In assessing item 1, reviewers were to determine whether the response to a maltreatment report occurring during the period under review had been initiated in accordance with Texas' policy (e.g., in Texas, the State must respond to a priority 1 report within 24 hours of receipt of the report). The results of this assessment were the following:

- Item 1 was rated as a Strength in 22 (92%) of the 24 applicable cases.
- Item 1 was rated as an Area Needing Improvement in 2 (8%) of the 24 applicable cases.

Two cases were assigned a rating of Area Needing Improvement for this item because the State did not respond to the maltreatment report in a timely manner. In one case, the State's response to a priority 1 report occurred 3 days after receipt of the report and the worker did not establish face-to-face contact with the child for 3 weeks.

Stakeholders commenting on this issue generally expressed the opinion that the State is effective in responding to maltreatment reports in a timely manner. Some stakeholders suggested that the policy of capping investigation caseloads to 15 full investigations per month has helped to ensure timely response to reports. Other stakeholders noted that the ability to access case histories in the CAPS has increased the State's ability to respond quickly and effectively. However, a few stakeholders noted that the State is less efficient in responding to priority 2 reports than to priority 1 reports. Stakeholders suggested that the high turnover rate among caseworkers and the general shortage in manpower in the State has resulted in a State focus on the more critical cases (priority 1 cases). As a result, less severe cases are not addressed in a timely manner, leaving children at risk for further maltreatment.

**Determination and Discussion:** This item was assigned an overall rating of Strength based on the finding that in 92 percent of the cases, the State responded to a maltreatment report in a timely manner. Two of the stakeholders commenting on this issue noted that the State has begun to implement an Internet reporting system that they believe will further expedite response time. This system appears to have been recently piloted with school professionals and to have been positively received by this group.

## Item 2. Repeat maltreatment

  X   Strength             Area Needing Improvement

**Review Findings:** An assessment of item 2 was applicable for all 50 cases reviewed. In assessing this item, reviewers were to determine whether there was at least one substantiated maltreatment report during the period under review, and if so, whether another substantiated report occurred within 6 months of that report. The results of the assessment were the following:

- Item 2 was rated as a Strength in 45 (90%) of the 50 applicable cases.
- Item 2 was rated as an Area Needing Improvement in 5 (10%) of the 50 applicable cases.

Cases were rated as a Strength for item 2 if one of the following criteria were met:

- There was no substantiated or indicated maltreatment report during the period under review either because the children were in foster care or a permanent placement during the entire period under review (26 cases), or a maltreatment report was made during the period under review, but was not substantiated or indicated (10 cases);
- There was only one substantiated or indicated maltreatment report during the period under review (8); or
- There was more than one substantiated or indicated maltreatment report during the period under review but the time span between reports was greater than 6 months (1 case).

Although 45 cases were assigned a rating of Strength for this item, in 40 of these cases there were multiple maltreatment reports prior to the period under review, many of which had been substantiated or indicated. Four cases had more than 10 reports over the life of the case and 19 cases had between 5 and 10 reports over the life of the case. In one in-home services case, there were 13 maltreatment reports on the family beginning in 1988, with the last one received and substantiated in August 2000.

Cases were rated as an Area Needing Improvement if a substantiated or indicated maltreatment report that occurred during the period under review was within 6 months of a prior report, and the two reports involved similar circumstances and the same perpetrator. In the majority of cases, there were no substantiated or indicated reports during the period under review (36 cases). However, of the 14 cases which had at least one substantiated report during the period under review, 5 cases (36%) had multiple substantiated reports occurring within a 6-month time span.

**Determination and Discussion.** Item 2 was assigned an overall rating of Strength based on the following findings:

- In 90 percent of the cases, there were no instances of multiple substantiated or indicated maltreatment reports occurring 6 months apart and during the period under review.
- According to the State data profile, the incidence of repeat maltreatment in Texas (4.2%) meets the national standard of 6.1 percent.

The Statewide assessment indicated that the incidence of repeat maltreatment has been positively impacted by the introduction of the Intranet Risk Assessment (IRA), implemented in June 1999 as part of an ongoing effort on the part of the State to shift from an incidence-based to a risk-based investigative response. According to the Statewide Assessment, caseworkers can access the IRA on the State intranet and answer questions to document their level of concern pertaining to child vulnerability, caregiver capability, quality of care, pattern of maltreatment, home environment (stressors and hazards), social environment, and parent response to State involvement. The ability to make comprehensive risk assessments during the investigations is seen as reducing the potential for repeat maltreatment.

## Safety Outcome 2

<b>Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Team 1 Cameron</b>	<b>Team 2 Harris</b>	<b>Team 3 Lubbock</b>	<b>Total Number</b>	<b>Total Percentage (of 49 applicable cases)</b>
Substantially Achieved:	10	17	11	38	77.6
Partially Achieved:	2	5	1	8	16.3
Not Achieved or Addressed:	0	3	0	3	6.1
Not Applicable:	0	1	0	1	

## STATUS OF SAFETY OUTCOME 2

Texas did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that 77.6 percent of the cases reviewed were rated as having substantially achieved this outcome, which is less than the 90 percent required for an overall rating of substantial conformity.

Findings pertaining to the specific items assessed under Safety Outcome 2 are presented and discussed below.

### Item 3. Services to family to protect child(ren) in home and prevent removal

\_\_\_\_ Strength        X   Area Needing Improvement

**Review Findings:** There were 31 cases for which an assessment of item 3 was applicable. Nineteen cases were not applicable for this assessment because there were no substantiated or indicated maltreatment reports or identified risks of harm to a child in the home during the period under review. For this item, reviewers were to assess whether, in responding to a substantiated or indicated maltreatment report or risk of harm, the State made diligent efforts to provide services to families to prevent removal of children from their homes while at the same time ensuring their safety. The results of this assessment were the following:

- Item 3 was rated as a Strength in 25 (81%) of the 31 applicable cases.
- Item 3 was rated as an Area Needing Improvement in 6 (19%) of the 31 applicable cases.

Cases were rated as a Strength for this item when reviewers determined that children were appropriately removed from their homes to ensure their safety (10 cases) or that the family's service needs were assessed and services were provided that were effective in maintaining the safety of the children while they remained in their homes (15 cases). For these 15 cases, the services provided included parenting classes, substance abuse assessment and treatment services, anger management classes, psychological assessments, assistance in accessing GED classes, housing services, counseling, and homemaking services. The State also used the family's natural support system to prevent foster care placement. For example, in two cases, relatives assumed care of the children on a voluntary basis while the mothers received services.

The six cases assigned an Area Needing Improvement rating for this item were in-home services cases in which reviewers identified one or more of the following concerns:

- Not all of the parents' service needs were addressed (e.g., the parent was referred for parenting classes but not for substance abuse treatment, although substance abuse was clearly a problem).
- Parents were not participating in referred services but the State had not taken any action and children remained in the home despite continued risk.
- The case was open for services but no services had been provided for several months.

Stakeholders expressed mixed opinions regarding the State's capacity and effectiveness in maintaining children safely in their own homes. Several stakeholders suggested that the necessary services are available to support families, that the families targeted for in-home services are appropriate, and that the State's Family-Based Safety Services (FBSS) program protects children and helps families overcome barriers to positive family functioning. Stakeholders also praised the State's recent shift in focus from incident-based to risk-based assessments and suggested that this new focus has contributed to the State's ability to make good decisions regarding safety concerns.

Many other stakeholders, however, noted the following barriers to maintaining children safely in their homes:

- A lack of services to adequately address substance abuse and mental health issues, which are prevalent problems among families receiving in-home services.
- A lack of funds available for services during the last two months of the fiscal year (which results in cases not being opened for in-home services during that time period).
- A lack of caseworker experience and training with regard to effectively engaging families in services.

In addition, most stakeholders commenting on this issue expressed the opinion that in some cases, there is insufficient follow up on families receiving in-home services to monitor service participation and progress in meeting goals. This problem was attributed to the high level of staff turnover among caseworkers and their large caseloads. Other stakeholders expressed concern about the practice of voluntary placement with relatives rather than removing children from their homes. One stakeholder expressing this concern suggested that there usually is not a thorough assessment of the safety of the relative's home prior to making the voluntary placement decision.

***Determination and Discussion:*** This item was rated as an Area Needing Improvement because in 19 percent of applicable cases, reviewers found that the State had not made diligent efforts to maintain children safely in their homes. One problem identified was a lack of consistency with regard to the State's efforts to follow up with families on service participation. Another concern was that the workers are not always consistent in their efforts to assess families or provide families with needed services. Stakeholders attributed both of these problems to the high levels of caseworker turnover experienced in the State. Stakeholders suggested that caseworker turnover usually results in additional caseload burdens for remaining staff and/or cases being assigned to new staff before they have sufficient experience and training.

As noted in the Statewide Assessment, Family-Based Safety Services (FBSS), which are the services offered to families in in-home services cases, are not legally mandated and thus staffing levels in this program can be reduced when investigations or conservatorship programs need additional staff. The Statewide Assessment also noted that although FBSS contracted services (such as mental health, parenting training, drug testing and treatment, and protective day care) augment the State's services, the need for these services often exceeds funding at some point during a fiscal year, reducing the availability of services for the remainder of the year.

#### **Item 4. Risk of harm to child**

\_\_\_\_ Strength        X   Area Needing Improvement

***Review Findings:*** Item 4 was assessed in 49 of the 50 cases reviewed. The assessment required reviewers to determine whether the State had made, or was making, diligent efforts to reduce the risk of harm to the children involved in each case. The assessment resulted in the following findings.

- Item 4 was rated as a Strength in 39 (80%) of the 49 applicable cases.
- Item 4 was rated as an Area Needing Improvement in 10 (20%) of the 49 applicable cases.



Cases assigned a rating of Strength were those in which reviewers determined the following:

- The risk of harm to children was addressed by removing the children from home and providing services to parents to address risk issues (23 cases).
- The risk of harm to children was addressed by removing the children from the home and seeking termination of parental rights (TPR) (7 cases).
- The risk of harm to children was reduced by providing services to families that address risk concerns while the children remained in the home or in a voluntary placement with relatives (9 cases).

The services that were most frequently offered to parents to reduce risk of harm to children were substance abuse treatment, anger management classes, and therapy.

Nine of the 10 cases assigned a rating of Area Needing Improvement for this item were in-home services cases. These cases were rated as Area Needing Improvement when reviewers identified one or more of the following concerns:

- The State did not adequately reduce risk because substantiated maltreatment reports continued to be made on a case while it was open for services (3 cases).
- The State did not adequately address all of the safety concerns (e.g., mother's mental health problems, domestic violence problems, and substance abuse problems) necessary to reduce the risk of harm to the children (7 cases).
- Services did not begin until long after the case was opened for services (2 cases).
- The State did not address comments by the children and by relatives of the family that the children were still at risk (1 case).

The one foster care case that was assigned this rating involved placement with a relative who permitted the children to have unsupervised contact with the biological mother despite the State's admonition that this was not to be allowed. In this case, reviewers determined that the caseworker did not address this issue adequately with the relative and it was not resolved until the relative voluntarily relinquished the child.

Stakeholders expressed mixed opinions regarding the State's effectiveness in reducing the risk of harm to children. There was general consensus among stakeholders that the State's risk assessment process is excellent and that the Texas policy of incorporating risk assessment as an ongoing activity throughout the life of the case is highly commendable. There also was consensus among stakeholders that the safety of children is given top priority in all investigations. However, several stakeholders noted that the risk assessment process has resulted in an increase in removals of children from their homes, and consequently the area of reducing risk of harm while children remain in their homes is not being sufficiently addressed. Two problems were identified to explain this situation: (1) high caseloads, which result in less time for caseworkers to effectively monitor in-home cases and tailor services to meet individual situations, and (2) high levels of caseworker turnover, which results in workers who lack the necessary experience to identify appropriate services and engage families.

***Determination and Discussion:*** Item 4 was assigned an overall rating of Area Needing Improvement because in 20 percent of the cases, reviewers determined that the State had not made diligent efforts to reduce the risk of harm to children. As noted in the Statewide Assessment, the

implementation of a risk-based rather than an incident-based assessment correlates with an increase in the rate of children entering substitute care as a result of an investigation, and an increase in the number of cases "screened in" for investigation. However, stakeholders, while praising the risk assessment approach, expressed the opinion that high rates of worker turnover and high caseloads have a negative impact on the ability of the workers to adequately follow up on information obtained through the risk assessment process to reduce risk in cases in which children remain in their homes.

## II. PERMANENCY

<b>Outcome P1: Children have permanency and stability in their living situations.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Team 1 Cameron</b>	<b>Team 2 Harris</b>	<b>Team 3 Lubbock</b>	<b>Total Number</b>	<b>Total Percentage (of 32 applicable cases)</b>
Substantially Achieved:	6	12	5	23	71.9
Partially Achieved:	1	4	3	8	25.0
Not Achieved or Addressed:		1	0	1	3.1
Not Applicable:	5	9	4	18	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Foster care re-entries	8.6%	1.5%	X		
Length of time to achieve reunification	76.2%	64.4%		X	
Length of time to achieve adoption	32%	43.7%	X		
Stability of foster care placements	86.7%	71.2%		X	
Length of stay in foster care*	N/A	13.5 Mos	N/A	N/A	

\*Not used to determine substantial conformity.

### STATUS OF PERMANENCY OUTCOME P1

Texas did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following:

- Only 71.9 percent of the cases were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for an overall rating of substantial conformity.

- The State did not meet the national standards for the percentage of reunifications occurring within 12 months of removal from home or the percentage of children with two or fewer placements during their first 12 months in foster care. However, the State did meet the national standards for the percentage of adoptions occurring within 24 months of removal from home, and the percentage of entries into foster care in Federal Fiscal Year 1999 that were re-entries within 12 months of a discharge from a prior foster care episode.

Findings pertaining to the specific items assessed under Permanency Outcome 1 are presented and discussed below.

#### **Item 5. Foster care re-entries**

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** Thirty-two of the 50 cases were applicable to an assessment of foster care re-entries because they involved children who were in foster care at some time during the period under review. In assessing this item, reviewers were to determine whether an entry into foster care during the period under review had occurred within 12 months of discharge from a prior foster care episode. The results of this assessment were the following:

- Item 5 was rated as a Strength in 29 (91%) of the 32 applicable cases.
- Item 5 was rated as an Area Needing Improvement in 3 (9%) of the 32 applicable cases.

Cases were rated as a Strength for this item when there were no entries into foster care during the period under review (26 cases) or there was one entry but it was not within 12 months of discharge from a prior foster care episode (3 cases).

Of the 6 cases in which there was at least one entry into foster care during the period under review, 3 cases were assigned a rating of Area Needing Improvement because they involved entries into foster care that were within 12 months of discharge from a prior foster care episode. In one of these cases the court ordered the reunification against the recommendations of the State. In two cases, the State determined that the parents were unable to maintain the children's safety after reunification.

There were 18 cases in which multiple entries into foster care occurred prior to the period under review, with five cases involving children who had entered foster care three or more times.

There was general consensus among stakeholders commenting on this issue that the 3- to 6-month period that the State maintains jurisdiction after children are returned home enhances the ability of the State to reduce re-entries into foster care. Interviews with judges indicated that they have confidence that children who are returned home are returning to safe situations.

**Determination and Discussion:** Item 5 was assigned an overall rating of Strength for the following reasons:

- The State incidence of foster-care re-entry (1.5%) met the National standard of 8.6 percent.
- The item was rated as a Strength in 91 percent of the 32 applicable cases.

The Statewide Assessment suggests that there may be an error in the AFCARS extract with respect to the number of removal episodes and that the incidence of foster care re-entry in the State may be higher than that indicated in the State Data Profile. The Statewide Assessment provides data from the State's Forecasting and Program Statistics demonstrating that the percentages of child cases who re-enter care within 12 months (365 days) after PRS legal responsibility is terminated (regardless of how long they were in care) still meet the national standard (6.4 percent in State Fiscal Year 1999 and 3.5 percent in State Fiscal Year 2000). The Statewide Assessment attributes the low rate of foster care re-entry in part to the policy of maintaining open cases for 3 to 6 months after reunifying children before terminating PRS legal responsibility. However, if a child is brought back into care during the 6-month period, it is not identified as a re-entry into foster care in Texas.

#### **Item 6. Stability of foster care placement**

\_\_\_\_ Strength        X   Area Needing Improvement

**Review Findings:** All 32 foster care cases were applicable for an assessment of item 6. In assessing this item, reviewers were to determine whether the child experienced placement changes during the period under review and, if so, whether the placement changes were necessary to achieve the child's permanency goal or to meet the child's service needs. The findings of this assessment were the following:

- Item 6 was rated as a Strength in 25 (78%) of the 32 applicable cases.
- Item 6 was rated as an Area Needing Improvement in 7 (22%) of the 32 applicable cases.

There were 18 cases in which children experienced at least one placement change during the period under review. In five cases, children experienced two placement changes, and in four cases, children experienced three placement changes during the period under review.

Cases were assigned a rating of Strength for this item if the children did not change placements or, if the placement changes that occurred were determined to be in the child's best interest. Some examples of placement changes that reviewers determined to be in the child's best interest are the following:

- Children moved from a basic foster home to a therapeutic foster home to meet needs for services and supervision.
- Children moved from a foster home or a shelter to the home of a relative that was to serve as a permanent placement either through adoption or long term foster care.

- Children moved from a foster home to a residential treatment facility because of behavioral problems or the need for mental health services.

Cases were rated as an Area Needing Improvement when the placement changes did not appear to either promote attainment of the child's permanency plan or meet the child's needs. A key problem identified was frequent movement from an emergency shelter to another type of placement and then back to an emergency shelter when the other placement disrupted or a treatment session was completed. For some children, this was a pattern throughout their foster care history. Reviewers also rated cases as an Area Needing Improvement when they determined that although the change in placement represented a move to a higher level of care, the child's need for a higher level of care should have been assessed prior to placement in other settings.

Stakeholders were in general agreement that the number of moves that children make while in foster care is an area that needs improvement in the State. Some stakeholders suggested that a key reason for multiple moves is the lack of available placements appropriate to the child's needs, particularly for children who need high levels of care. Stakeholders noted that because of the scarcity of placements, placement decisions tend to be driven by availability rather than by "appropriateness" as determined through a matching process. Placements made on the basis of availability are likely to disrupt because they often are not appropriate for the child's needs.

Other stakeholders indicated that there are not enough supports (financial and service-related) for foster parents, and particularly for relative caretakers, to promote placement stability. Foster parents and relatives often are the ones who request that children in their care be removed because they can no longer handle them. The lack of financial support was noted by stakeholders to be a critical problem for relative caregivers who are not eligible for foster care payments, although they may be eligible for a special subsidy through the Temporary Assistance to Needy Families (TANF) program. Stakeholders reported, however, that TANF subsidy is negligible, and that not all relative caregivers are informed by the State about their eligibility for this subsidy.

***Determination and Discussion:*** Item 6 was rated as an Area Needing Improvement based on the following findings:

- The State data profile indicates that in FFY 1999, 71.2 percent of the children in foster care experienced 2 or fewer placements during their first 12 months in care. This is below the national standard of 86.7 percent.
- This item was rated as an Area Needing Improvement in 22 percent of the applicable cases reviewed.

The Statewide Assessment attributed the incidence of multiple moves in foster care to (1) insufficient placement resources; (2) the practice of initially placing children in emergency placements for assessment purposes; (3) unplanned requests by foster parents to have the child removed; and (4) the State level of care system that can result in the movement of children into other placement settings to meet the children's needs. However, both stakeholders and case reviews indicated that children are placed in emergency placements for reasons other than assessment, and there is some indication that if the State provided greater supports to foster parents, they may be less likely to request a child's removal from their homes.

## Item 7. Permanency goal for child

\_\_\_\_\_ Strength        X   Area Needing Improvement

**Review Findings:** All 32 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether the State had established an appropriate permanency goal for the child in a timely manner. The results of this assessment were the following:

- Item 7 was rated as a Strength for 25 (78%) of the 32 applicable cases.
- Item 7 was rated as an Area Needing Improvement for 7 (22%) of the 32 applicable cases.

The case review identified the following permanency goals: 14 children had a goal of adoption, 6 children had a goal of reunification with parents or relatives, 6 had a goal of permanent placement with relatives, and 6 had a goal of long-term foster care leading eventually to emancipation to independent living. During the period under review, goals had been achieved for 8 children, 6 who were adopted and 2 who were reunified.

For those cases in which item 7 was rated as a Strength, reviewers determined that the State had established appropriate permanency goals for the child in a timely manner.

Cases were assigned a rating of Area Needing Improvement when reviewers determined either that the goal was inappropriate or that an appropriate goal had not been established in a timely manner. Two cases were rated as an Area Needing Improvement because the goal was contrary to the wishes of the child. In these cases, the goal was permanent placement with relatives but the child did not want to be placed with relatives.

Many stakeholders commenting on this issue noted that there were adequate systems in place for establishing appropriate goals in a timely manner. These stakeholders noted that the administrative review procedures and the court hearings have a positive influence on the State in establishing goals in a timely fashion. A few stakeholders commenting on this issue, however, noted that the court sometimes will establish permanency goals that are contrary to recommendations of the State and are not in the best interests of the child. Some stakeholders in one county indicated that the State can use the Family Unity Conference (a type of family group conferencing) as a tool to use in determining goals for families. However, there was no evidence of use of a Family Unity Conference in the case records, and no other stakeholder mentioned this approach to goal setting and attainment.

***Determination and Discussion:*** This item was assigned an overall rating of Area Needing Improvement because in 22 percent of the cases reviewed, reviewers determined that the State had not established an appropriate goal in a timely manner. The Statewide Assessment noted that it is State policy for staff to seek to have children in permanent placements within 12 months from the date they come into care, to the extent possible depending on the child's particular needs and circumstances and the available resources. The Statewide Assessment also noted that a permanency goal is considered achieved when the child is in the placement that is intended to be permanent and is consistent with the permanency goal, and appropriate legal action has been achieved.

#### **Item 8. Reunification, Guardianship, or Permanent Placement with Relative**

\_\_\_\_\_ Strength        X   Area Needing Improvement

***Review Findings:*** An assessment of item 8 was applicable for 12 cases. In assessing these cases, reviewers were to determine whether the State had made diligent efforts to achieve goals and/or had achieved the goals of reunification, guardianship, or permanent placement with relatives in a timely manner. The results of this assessment were the following:

- Item 8 was rated as a Strength for 11 (92%) of the 12 applicable cases.
- Item 8 was rated as an Area Needing Improvement for 1 (8%) of the 12 applicable cases.

For the 12 cases relevant for this item, 6 children had a case goal of permanent placement with relatives and 6 children had a case goal of reunification with parents. Permanency goals were achieved for two of the children who had reunification with parents as their goal.

Cases were assigned a rating of Strength for this item when reviewers determined that (1) the goal was accomplished in a timely manner; (2) the State was actively seeking relatives for permanent placement (6 cases), and (3) the State provided services to parents to facilitate reunification and monitored parent's participation in services and overall progress.

In the one case assigned a rating of Area Needing Improvement for this item, reviewers determined that services to promote reunification had not been provided in a timely manner.

Some stakeholders commenting on this issue noted that if families are interested in making the necessary efforts to be reunified with their children, there are a number of resources available to support this process. Stakeholders also noted that relatives are frequently sought by the State as potential permanent placements, and that the courts support this process by having parents identify relatives at the first hearings. In one of the counties included in the on-site review, there was a subsidy for relatives in addition to the TANF-authorized subsidy.

Other stakeholders commenting on this issue expressed the opinion that reunifications may be taking place before it is sufficiently safe for the child to return home. Stakeholders also suggested that there are cases in which the goal of reunification is in place for too long without being achieved. In contrast, several stakeholders expressed the opinion that the State is too quick to pursue termination of parental rights (TPR) and that some children may have been able to go home if the family was given more time.

***Determination and Discussion.*** This item was assigned an overall rating of Area Needing Improvement primarily because the State's percentage of reunifications occurring within 12 months of entry into foster care (64.4%) did not meet the national standard (76.2%). Although 92 percent of the cases were rated as a Strength for this item, it is necessary for the State to also meet the national standard in order for the item to be assigned an overall rating of Strength. In addition, among the 6 cases for which reunification was the primary goal, the goal had been attained in only 2 cases, and in 1 case the child had been in foster care for longer than 12 months. Also, for the other 4 children with a goal of reunification, 2 had been in foster care for longer than 12 months. However, one of these children was already residing in the home, although the legal transfer of custody had not taken place.

The difference between the data for the national standard and the case review findings may be attributed to a difference in measurement. The national standard assesses the percentages of exits to reunification that occurred within 12 months of entry into foster care. In contrast, the case review process examines a wide range of factors that may impact or influence attainment of reunification, guardianship, or permanent placement with relatives and the time necessary to achieve that goal and makes a determination of Strength or Area Needing Improvement through a consideration of all of those factors, not just the time span of 12 months and not just the goal of reunification.

Also, in understanding the State's data with respect to reunifications occurring within 12 months of removal, it is important to take into account the State practice of maintaining legal custody for 3 to 6 months after physical reunification. According to the Statewide Assessment, although this practice may adversely affect the State's ability to meet the national standard with respect to reunification, it enhances the State's ability to meet the national standard with respect to foster care re-entries. Consequently, it may be seen as supporting children's safety.

## **Item 9. Adoption**

\_\_\_\_ Strength        X   Area Needing Improvement

***Review Findings:*** Fourteen of the 32 foster care cases were applicable for an assessment of item 9. In assessing this item, reviewers were to determine whether appropriate and timely efforts had been, or were being, undertaken to achieve finalized adoptions. This determination resulted in the following findings:

- Item 9 was rated as a Strength in 8 (57%) of the 14 applicable cases.
- Item 9 was rated as an Area Needing Improvement in 6 (43%) of the 14 applicable cases.



The case review process found that for all 14 cases in which children had a permanency goal of adoption, the State had attained termination of parental rights (TPR). In 6 cases, adoption had been finalized. However, only one of the finalized adoptions was completed within 24 months of the time of entry into care.

Cases were assigned a rating of Strength for this item when reviewers determined that the adoption was finalized in a timely manner and when the State was actively seeking adoptive placements for the child in an effort to finalize the adoption timely.

Cases were assigned a rating of Area Needing Improvement when reviewers determined that there were lengthy delays in attaining a finalized adoption and that the delays were preventable.

Most stakeholders commenting on this issue noted that in order to expedite adoptions, the State needs to refer children to adoption recruiters at the time TPR is filed rather than waiting until it is finalized. Stakeholders also noted that worker turnover has a negative impact on the timeliness for completing adoptions. Some stakeholders suggested that the number of TPRs is increasing and it is difficult for the adoption recruiters to keep up with the demand. Another concern expressed is that families that want to adopt have to pay the legal fees. For some families, particularly relatives, the lack of access to the necessary financial resources is a deterrent to finalizing the adoption process.

***Determination and Discussion:*** Item 9 was rated as an Area Needing Improvement. Although the State's percentage of finalized adoptions within 24 months of entry into foster care (43.7%) meets the national standard of 32 percent, the case review process found that 43 percent of the applicable cases were rated as an Area Needing Improvement for this item. In addition, stakeholders commenting on this issue tended to view timeliness of adoptions as a key issue for the State.

In addition to these findings, the Statewide Assessment noted that the State is making diligent efforts to expedite adoptions for children by dual licensing foster/adoptive homes, establishing contract criteria for State private adoption agencies with open enrollment, and requiring that each region must dedicate at least one staff person per 75 children who have the permanency planning goal of adoption to perform specialized activities to assure that children's cases are expediently moving toward the goal of adoption.

#### **Item 10. Permanency goal of other planned permanent living arrangement**

☒X\_\_\_ Strength      \_\_\_\_\_ Area Needing Improvement

***Review Findings:*** An assessment of item 10 was applicable for 6 of the 32 foster care cases. The "other planned living arrangements" were long-term foster care (4 cases), or, in cases in which children were 16 or older, independent living (2 cases). The item was rated as a Strength

for all cases because reviewers determined that the goal was appropriate for the children and that the State was implementing services to support the goal.

Several stakeholders commenting on this issue expressed the opinion that the State's independent living program, PAL, is a strong program and a positive resource in moving children to independence. However, a few stakeholders suggested that independent living is not really an appropriate case goal, and that the State should be concurrently providing independent living services and linking children to relatives so that they can be reunited with their families, if at all possible, when they leave care.

***Determination and Discussion.*** Based on the case review assessments, this item was assigned an overall rating of Strength. Information provided in the Statewide Assessment supports stakeholders' opinions regarding the strength of the PAL program. In addition, the Statewide Assessment noted that although long-term foster care is an allowable permanent solution under the Texas permanency statutes, it is not an option that the State routinely chooses for children. In fact, a caseworker cannot select this permanency goal until approval is given by a program director. The Statewide Assessment noted that the percentage of children with a permanency goal of long-term foster care has decreased yearly since Federal Fiscal Year 1998.

## Permanency Outcome 2

<b>Outcome P2: The continuity of family relationships and connections is preserved for children.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Team 1 Cameron</b>	<b>Team 2 Harris</b>	<b>Team 3 Lubbock</b>	<b>Total Number</b>	<b>Total Percentage (of 32 applicable cases)</b>
Substantially Achieved:	7	15	8	30	93.8
Partially Achieved:	0	2	0	2	6.2
Not Achieved or Addressed:	0	0	0	0	
Not Applicable:	5	9	4	18	

### STATUS OF PERMANENCY OUTCOME 2

Texas achieved substantial conformity with Permanency Outcome 2. This determination was based on the finding that reviewers rated this outcome as substantially achieved in 93.8 percent of the cases, which exceeds the 90 percent required for a finding of substantial conformity.

Findings pertaining to the specific items assessed under Permanency Outcome 2 are presented and discussed below.

### Item 11. Proximity of foster care placement

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** Of the 32 foster care cases, 19 were applicable for an assessment of item 11. Cases determined to be not applicable were those in which TPR had been attained prior to the period under review or in which contact with parents was not considered to be in the child's best interest. In assessing item 11, reviewers were to determine whether the child had been placed in a foster care setting that was in close proximity to the child's parents or close relatives. This assessment resulted in a rating of Strength for all 19 (100%) applicable cases. Children were placed in the same community or county as parents in 18 of the 19 cases, and in one case, the parent had disappeared, but the children were placed in close proximity to siblings, who were in foster care.

Few stakeholders commented on this issue. One stakeholder suggested that proximity of placements might be a problem because of the shortage of placement resources. Another stakeholder suggested that the primary reason for placement in another county is to obtain residential treatment services for the child.

**Determination and Discussion:** Item 11 was assigned an overall rating of Strength because in all applicable cases children were placed in close proximity to parents or close relatives. This is consistent with information provided in the Statewide Assessment indicating that the State makes every effort to place children in close proximity to their home of origin. As noted in the Statewide Assessment, only 30.5 percent of Texas children are placed out of area, and this usually occurs when the local area does not have resources for children with serious behavioral or mental health problems.

### Item 12. Placement with siblings

☐ Strength      ☒ Area Needing Improvement

**Review Findings:** Twenty-five of the 32 foster care cases were applicable for an assessment of item 12 because the children in the cases had siblings who were also in foster care. In assessing item 12, reviewers were to determine whether siblings were, or had been, placed together and, if not, whether separation was necessary to meet the needs (service or safety needs) of one or more of the children. This assessment resulted in the following findings.

- Item 12 was rated as a Strength in 21 (84%) of the 25 applicable cases.
- Item 12 was rated as an Area Needing Improvement in 4 (16%) of the 25 applicable cases.

Cases were rated as a Strength for this item if children were placed with at least one sibling (15 cases) or with all siblings (7 cases). Reviewers generally indicated that valid reasons for separation were the large size of sibling groups (i.e., many sibling groups involved five or more children), or the fact that one sibling was a potential safety threat to another sibling.

Cases were rated as an Area Needing Improvement when reviewers did not perceive the reason for separation of a child from some or all of his/her siblings as valid. For example, in one case in which two children were placed with two separate relatives, reviewers determined that the State had not made sufficient efforts to find a relative who would take both children. In another case, in which a child was separated from siblings because of a need for specialized medical services, reviewers determined that the State did not make diligent efforts to reunite the siblings after the medical needs were met.

Stakeholders commenting on this issue suggested that separation of siblings usually occurs because of limited placement resources. Stakeholders were in general agreement that using relative placements is an effective way to keep siblings together. However, when there are particularly large sibling groups, it can be difficult to find a relative who has the resources to care for all of the children in the family.

***Determination and Discussion:*** This item was assigned an overall rating of Area Needing Improvement because in 16 percent of the applicable cases, reviewers determined that the State had not made diligent efforts to keep siblings together. Although there were many examples of successful efforts to keep siblings together, this practice was not always consistent across workers, possibly due to the shortage of available placements for sibling groups. This determination is supported by information in the Statewide Assessment and from stakeholders suggests that one of the problems in maintaining siblings together is the shortage of foster homes, particularly homes that can take large sibling groups.

### **Item 13. Visiting with parents and siblings in foster care**

☒ Strength      ☐ Area Needing Improvement

***Review Findings:*** An assessment of item 13 was applicable for 27 of the 32 foster care cases. Cases were not applicable if the child had no siblings who were in foster care, or if the parents could not be located, or if visitation with parents was considered to be not in the child's best interest. In assessing this item, reviewers were to determine (1) whether the State had made or was making diligent efforts to facilitate visitation between children in foster care and their parents or siblings in foster care, and (2) whether these visits typically occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment were the following:

- Item 13 was rated as a Strength in 23 (85%) of the 27 applicable cases.
- Item 13 was rated as an Area Needing Improvement in 4 (15%) of the 27 applicable cases.

In all cases rated as a Strength, reviewers determined that the State had made diligent efforts to facilitate visitation, even in situations in which parents were not cooperative. When parents were cooperative, visits typically occurred at least monthly. In 7 cases, mothers and children visited one or twice each month, and in 5 cases visitation was noted to be weekly. There were 3 cases in which mother's visits with children occurred less than monthly. Visitation with fathers was found to occur once or twice a month in 2 cases, weekly in 3 cases, and less than monthly in 3 cases. In cases in which siblings were separated in foster care, visitation occurred once or twice a month in 8 cases and weekly in 3 cases. Less than monthly visits among siblings occurred in only 3 cases.

Cases were rated as an Area Needing Improvement when reviewers determined that the State did not make sufficient efforts to promote visitation with either parents or siblings and when visits were not of sufficient frequency to meet the needs of the children.

Stakeholders commenting on this issue expressed the opinion that there is a great deal of visitation between parents and children in foster care and among siblings in foster care. They suggested that the frequency of visitation is facilitated by the State's flexibility with respect to locations for visits and the types of visits that are permitted under certain circumstances. There was general consensus that if parents were interested in visiting their children, the State made sure that it happened. Stakeholders described situations in which State staff would facilitate visits on evenings and weekends to make sure that children maintained contacts with their families. Stakeholders also noted that relatives and service providers under contract to the State also facilitated visitation.

***Determination and Discussion:*** Item 13 was assigned an overall rating of Strength based on the finding that in 85 percent of the cases reviewers determined that the State had made diligent efforts to facilitate visits between the child and his or her parents and siblings. The Statewide Assessment provides support for this finding and indicates that while a child is in foster care, the parents and the child have a right to maintain regular contact with one another unless the court restricts contacts or the parents have voluntarily relinquished parental rights or had their parental rights terminated by the court. According to the Statewide Assessment, the program standard is that visits are scheduled to take place at least once a month and written approval must be secured from the supervisor or program director for less frequent visitation, unless it is ordered by the court.

#### **Item 14. Preserving connections**

\_\_\_\_ Strength      X Area Needing Improvement

***Review Findings:*** Item 14 was applicable for assessment in all 32 foster care cases. For this item, reviewers were to determine whether the State had made, or was making, diligent efforts to preserve the child's connections to family, neighborhood, community, culture, family, faith and friends while the child was in foster care. The following findings resulted from this assessment:

- Item 14 was rated as a Strength in 27 (84%) of the 32 applicable cases.
- Item 14 was rated as an Area Needing Improvement in 5 (16%) of the 32 applicable cases.

In 27 cases, reviewers determined that diligent efforts were made to preserve the child's connections while in foster care. In most cases, this was done through placements with relatives; frequent visitation with family; and keeping children in the same communities, same church, and same school. Cases were rated as an Area Needing Improvement for this item when reviewers determined either that (1) there was nothing in the case record to indicate that ties were being maintained, or, (2) the State did not do enough to find family resources for child to support their connections to biological families.

Only a few stakeholder commented on this issue. One stakeholder suggested that State caseworkers do not routinely ask if children are Native American and are not sufficiently trained in the Indian Child Welfare Act (ICWA). Two other stakeholders expressed the opinion that efforts to preserve children's connections to culture, family, and community are a clear strength of the State.

***Determination and Discussion:*** Item 14 was assigned an overall rating of Area Needing Improvement because in 16 percent of the cases, the reviewer determined that the State had not made diligent efforts to preserve the child's connections. Although there were many cases in which reviewers noted that connections were maintained there was a lack of consistency across workers in making efforts to maintain these connections, which may be attributed to worker turnover that results in caseworkers who do not have extensive experience in maintaining children's linkages to their families, heritage, and communities.

### **Item 15. Relative placement**

☒ Strength      ☐ Area Needing Improvement

***Review Findings:*** All 32 foster care cases were applicable for an assessment of item 15. In assessing this item, reviewers were to determine whether the State had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children entering foster care. The results of this assessment were the following:

- Item 15 was rated as a Strength in 30 (94%) of the 32 applicable cases.
- Item 15 was rated as an Area Needing Improvement in 2 (6%) of the 32 applicable cases.

Cases were assigned a rating of Strength for this item if children were already placed with relatives (11 cases) or, if children were not placed with relatives, but the State had made diligent efforts to seek relatives and assess them as a placement resource (19 cases). There were 13 cases in which relatives had been considered for placement but not accepted.

Cases were rated as an Area Needing Improvement when there was no documentation in the case record that relatives had been sought or assessed as potential placement resources. In one case, relatives expressed extensive interest in caring for the children, but the State did not respond to this request until the relatives became more assertive.

Stakeholders commenting on this issue were in general agreement that the State makes diligent efforts to seek relatives as potential placement resources. However, several stakeholders expressed the opinion that the State does not make sufficient efforts to support relative caregivers and that this results in disruptions of these placements. In fact, seven of the cases reviewed involved relative placements that had disrupted, either because child maltreatment had been reported on the relative family (2 cases), or relatives changed their minds about taking the children (5 cases). Some reviewers expressed the opinion that the State may have prevented the placement disruption if greater efforts had been made to support the caregivers. Stakeholders suggested that relatives need more financial assistance in caring for children who often have multiple behavioral and emotional problems and require extensive services.

***Determination and Discussion:*** Item 15 was assigned an overall rating of Strength based on the finding that in 94 percent of the applicable cases reviewed, reviewers determined that the State had made diligent efforts to access relatives as placement resources for children entering foster care. In addition, the Statewide Assessment notes that prior to the placement of a child with a relative, the relative home has a complete safety check that includes criminal background checks, reference checks, and a home study. Although the relatives are eligible for a child-only TANF grant from the Texas Department of Human Services (DHS), the amount of the grant is minimal (approximately \$64 per month for one child) and far less than the amount paid to a licensed foster home. According to the Statewide Assessment, relative placements are treated like other foster care placement in that, after placement, the worker visits the child and relatives monthly to supervise the placement and offer support and encouragement as needed. However, the Statewide Assessment also notes that information from focus groups with relative caregivers and State staff has revealed that relative caregivers are not receiving sufficient supports, including assistance in dealing with biological parents. The Statewide Assessment noted that there is a project in operation in San Antonio (CREST) that has been found to effectively address this issue and that other regions may begin to implement elements of this project.

#### **Item 16. Relationship of child in care with parents**

☒ Strength      ☐ Area Needing Improvement

***Review Findings:*** An assessment of item 16 was applicable for 17 of the 32 foster care cases. The item was not assessed in cases in which parental rights had been terminated either voluntarily or by court order or if a relationship with the parents was considered to be not in the child's best interest. In assessing this item, reviewers were to determine whether the State had made efforts to support the development or maintenance of a bond between the child and both of his/her parents through visitation and provision of services that promote bonding. The findings of this assessment were that item 16 was rated as a Strength in 17 (100%) of the 17 applicable cases. Reviewers noted that in these cases, (1) visitation occurred regularly and the interactions that occurred between parent and child were positive; (2) there was a clear bond between the child and mother (8 cases) and between the child and father (5 cases). There were several cases in which visitation did not occur

and the bond was not maintained, but reviewers determined that the State had made concerted efforts to support visitation and enhance bonding in these cases.

**Determination and Discussion:** Item 16 was assigned an overall rating of Strength because reviewers assigned this rating to all applicable cases.

### III. CHILD AND FAMILY WELL-BEING

#### Well-Being Outcome 1

Outcome WB1: Families have enhanced capacity to provide for their children's needs.					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Team 1 Cameron	Team 2 Harris	Team 3 Lubbock	Total Number	Total Percentage (of 50 applicable cases)
Substantially Achieved:	11	14	10	35	70.0
Partially Achieved:	1	8	2	11	22.0
Not Achieved or Addressed:	0	4	0	4	8.0
Not Applicable:	0	0	0		

#### STATUS OF WELL-BEING OUTCOME 1

Texas did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that this outcome was rated as substantially achieved for only 70 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

#### Item 17. Needs and services of child, parents, foster parents

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** An assessment of item 17 was applicable for all 50 cases. In assessing the item, reviewers were to determine whether the State had (1) adequately assessed the needs of children, parents, and foster parents; and (2) provided the services necessary to meet those needs. The results were the following:

- Item 17 was rated as a Strength in 36 (72%) of the 50 applicable cases.



- Item 17 was rated as an Area Needing Improvement in 14 (28%) of the 50 applicable cases.

Cases were assigned a rating of Strength when reviewers determined that the needs and services of all parties (children, parents, and foster parents) had been addressed (when relevant). Children's needs were assessed in 43 of the 50 cases. In the seven cases in which children's needs were not adequately assessed, four were in-home cases and three were foster care cases. Reviewers determined that appropriate services had been provided to children in 42 cases.

According to reviewers, the mother's needs were assessed in 30 cases, and appropriate services were provided to mothers in 25 cases. Father's needs were assessed in 18 cases, with services provided in 18 cases. There were many cases in which mother's and or father's needs and services were not met because they could not be located or because their parental rights had been terminated and they were no longer involved with the child. However, in five cases, the father's needs were not addressed because he did not live in the home, although he was actively involved in the lives of the children.

For the 36 cases rated as a Strength for this item, reviewers determined that there were no unmet service needs for children, mothers, fathers, and foster parents, when the provision of services was possible and appropriate. Assessments of needs included physical health assessments, mental health assessments, and substance abuse assessments. Services for children included physical health services (one child received services to help him lose weight), psychological and psychiatric services (individual and group therapy, play therapy, medications for mental health purposes), independent living services, and early intervention services (Head Start, developmental assessments, speech therapy). Services for parents included drug and alcohol treatment, homemaker services, counseling, parenting classes, anger management classes, home based therapy, and housing assistance. Services for foster parents included assistance in obtaining services for children, clothing vouchers, and periodic visits and telephone contacts from the workers to support them.

Cases were assigned a rating of Area Needing Improvement for this item when reviewers determined that there were unmet service needs that had not been or were not being addressed by the State. Some examples of cases receiving this rating are the following:

- A case in which the State did not provide therapy services to a child who requested it.
- A case in which reviewers determined that although the children's safety needs had been addressed, they had not received health assessments in response to the physical maltreatment they experienced.
- Three in-home services cases in which the mother's service needs were assessed, but children's service needs were not.
- Three cases in which the mother's substance abuse issues and domestic violence problems were not addressed.
- A case in which children reported to the worker that they were regularly beaten with belts, but nothing was done and no services to address mother's discipline practices had been offered.
- Two cases in which children were 16 years of age or older, but did not receive adequate independent living services.

Stakeholders commenting on this issue raised several concerns about the availability of services, particularly substance abuse treatment and mental health services. These comments are discussed in more detail under item 35. Several stakeholders also commented on and praised the availability of high quality and quick assessment services through the Children's Assessment Center and other community-based service centers, particularly in Harris County (Houston). In addition, several stakeholders indicated that needs assessment is an ongoing process in many cases and serves as the foundation for the case planning process.

***Determination and Discussion:*** Item 17 was assigned an overall rating of Area Needing Improvement because in 28 percent of the cases, reviewers felt that the needs and services of children, parents, and/or foster parents had not been adequately addressed by the State. The key problems identified were a lack of availability of services, inconsistency among caseworkers in following up with families to ensure that services are in place, and insufficient monitoring of families or contact with family members to assess the need for services.

#### **Item 18. Child and family involvement in case planning**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

***Review Findings:*** An assessment of item 18 was applicable for 48 of the 50 cases. For the 2 cases for which an assessment of this item was not applicable, children were taken into custody shortly after birth and the mothers disappeared. In assessing this item, reviewers were to determine whether parents (or other primary caretakers) and children (if age appropriate) had been involved in the case planning process, and if not, whether their involvement was contrary to the child's best interest. A determination of involvement in case planning required that a parent had actively participated in identifying the services and goals included in the case plan. This assessment produced the following findings:

- Item 18 was rated as a Strength in 38 (79%) of the 48 applicable cases.
- Item 18 was rated as an Area Needing Improvement in 10 (21%) of the 48 applicable cases.

Additional findings with respect to this item were the following:

- In 30 cases, mothers were involved in case planning; in 14 cases, mothers were not involved because involvement was contrary to the child's interest or the mother was not interested; and in 5 cases, the mother was not involved in planning but should have been involved.
- In 15 cases, fathers were involved in case planning; in 21 cases fathers were not involved because involvement was considered contrary to child's interest or the father was not available or interested; and in 11 cases, the father was not involved in planning but should have been involved.
- In 22 cases the child was involved in planning; in 19 cases the child was not old enough to be involved; and in 6 cases the child was old enough, but was not involved.

Cases were assigned a rating of Strength for this item when reviewers determined that all relevant parties had been involved in the case planning process when possible and in the child's interest. In some cases, the involvement extended beyond parents and children to include grandparents and other relatives, therapists, and foster parents.

Cases rated as Area Needing Improvement for this item were those in which reviewers determined that a critical member of the family had been excluded from the case planning process—either the mother, father, or child. Most often the excluded person was the father or the child. Cases were rated as Area Needing Improvement if the mother indicated that she had not participated in the planning process and if there was no indication in the case record of a discussion of the case plan with the mother or father during the planning process, even if they had signed the case plan.

Stakeholders commenting on this issue expressed mixed opinions. While some stakeholders noted that there is a high level of parental and child involvement in case planning, particularly with respect to parent participation in PPT sessions, other stakeholders suggested that although parents attend these sessions, it is more to hear what the State and other professionals have to say. The parents and children are not themselves instrumental in deciding the goals and objectives of the plan. Additional stakeholder comments on parent involvement in case planning are presented under item 25.

***Determination and Discussion:*** Item 18 was assigned an overall rating of Area Needing Improvement because in 21 percent of the applicable cases, reviewers determined that parents and children had not been appropriately involved in the case planning process. This finding is somewhat contrary to information reported in the Statewide Assessment. According to the Statewide Assessment, CPS policy and Licensing standards require that parents be invited to participate in developing the child's case plan unless the parents cannot be found, parental rights have been terminated, or the parents have refused to participate in the child's case. Supervisors check for documentation of the parents' participation in the plan development during approval of the child's service plan, ensuring that the parents were invited to participate. The PPT review provides an additional avenue for parents to participate in the service planning process, help identify needs and issues, establish plans, and understand what progress has been made. CPS policy requires that parents and the child's caretaker be invited to the review. The PPT conveners document who was notified and who actually participated in the meeting and ensure that all the parties participate in the discussion. Despite these policies, the case reviews indicate that there continue to be cases in which parents and/or children are not adequately involved in the planning process, although they may be invited to attend and may actual attend case planning meetings and reviews.

#### **Item 19. Worker visits with child**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** All 50 cases were applicable for an assessment of item 19. In conducting this assessment, reviewers were to determine whether the frequency of visits between the caseworker and the children was sufficient to ensure adequate monitoring of the child's safety and well-being and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment were the following.

- Item 19 was rated as a Strength in 41 (82%) of the 50 applicable cases.
- Item 19 was rated as an Area Needing Improvement in 9 (18%) of the 50 applicable cases.

Cases were assigned a rating of Strength for this item when reviewers determined that visits were of sufficient frequency to meet the needs of the child and focused on issues pertinent to the case and to attaining the child's permanency goal. In 24 cases, visits occurred once a month; in 11 cases, visits typically occurred twice a month; and in 6 cases, visits typically occurred weekly. In some cases, workers became very close to the children and assisted with transportation to special events, maintained frequent telephone contacts with them, and attended their special ceremonies. Foster parents reported that if they had a problem or needed more frequent visits, the caseworkers were very cooperative in meeting those needs.

Cases were rated as an Area Needing Improvement when visits between State caseworkers (or a designated substitute) and children occurred less frequently than once a month. All 9 cases in which caseworkers visited children less frequently than once a month were in the large urban county. In four of these cases, the lack of contact between caseworker and child was significant and threatened the child's safety. In one case, the child reported to the reviewer that she felt unsafe at home and would like to talk to her worker. She indicated that she had seen her worker in the week just prior to the review but before that, she had not seen the worker for many months. In another case, the mother expressed concern to the worker that her child, who was in a nursing home facility, was not receiving adequate care, but the worker did not visit the child. There were five cases in which children in foster care were not visited for long periods of time. This was attributed to worker turnover and the cases getting lost in the transfer to a new worker.

Stakeholders expressed conflicting opinions regarding caseworker visits with children. Some stakeholders suggested that this was a strength for the State, while others reported that worker contact with children is not sufficient to ensure their safety and well-being and, in foster care cases, is not always consistent with Texas policy. Those stakeholders indicating that worker contacts with children were not sufficient generally attributed this problem to the high level of worker turnover, since children sometimes do not receive quality attention when there is a transfer of cases across workers. Stakeholders also suggested that the high level of turnover adversely affects the quality of visits with children as well as the quantity, because it results in visits being conducted by inexperienced workers.

**Determination and Discussion:** Item 19 was assigned an overall rating of Area Needing Improvement because in 18 percent of the cases, reviewers determined that the frequency of worker visits with children was not sufficient to support their safety and well-being. Although as noted in the Statewide Assessment, PRS policy requires at least one monthly contact between the caseworker and the child/caregivers for

foster care cases, and appropriate contact with children in FBSS cases, the case reviews indicate that there is not consistent adherence to this policy.

## **Item 20. Worker visits with parents**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** An assessment of item 20 was applicable for 36 of the 50 cases. Cases that were considered not applicable for an assessment of this item were those in which (1) parental rights had been terminated and the parents were no longer involved in planning for the child; or (2) the parents could not be located despite diligent efforts by the State. Reviewers were to assess whether the caseworker had sufficient face-to-face contact with the mothers and fathers to promote attainment of the child's permanency goal and ensure the child's safety and well-being and whether the contacts focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment were the following:

- Item 20 was rated as a Strength in 29 (81%) of the 36 applicable cases.
- Item 20 was rated as an Area Needing Improvement in 7 (19%) of the 36 applicable cases.

In the 29 cases assigned a rating of Strength for this item, reviewers determined that workers' contacts with parents were sufficient to ensure children's safety and well-being. Workers visited with parents at least once a month in 14 cases, twice a month in 7 cases, and weekly in 8 cases. In all cases assigned a rating of Strength, reviewers noted that visits between caseworkers and parents focused on issues pertinent to case planning, service delivery, and goal attainment.

Cases were rated as an Area Needing Improvement when reviewers determined that the frequency of visits with parents was not sufficient to ensure the children's safety and well-being. For all of these cases, which occurred only in the urban county included in the on site review, visits with parents occurred less frequently than once a month.

No stakeholders commented directly on this issue.

**Determination and Discussion.** Item 20 was assigned an overall rating of Area Needing Improvement because in 19 percent of the applicable cases, reviewers determined that the frequency of workers' visits with parents was not sufficient to ensure children's safety and well-being and typically occurred less frequently than once a month. All of the cases assigned a rating of Area Needing Improvement for this item were in the urban county, which also experienced high levels of caseworker turnover. Consequently, caseworker turnover may again be responsible for the inconsistencies in case practice with respect to visits with parents. According to the Statewide Assessment, although Texas policy requires sufficient contact with parents, worker turnover and caseload sizes may be significant barriers to full adherence to policy requirements. Additionally, stakeholder reports point to a lessening, over time, of the emphasis on family centered aspects of practice.

## Child Well Being Outcome 2

<b>Outcome WB2: Children receive appropriate services to meet their educational needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Team 1 Cameron</b>	<b>Team 2 Harris</b>	<b>Team 3 Lubbock</b>	<b>Total Number</b>	<b>Total Percentage (of 38 applicable cases)</b>
Substantially Achieved:	9	16	7	32	84.2
Partially Achieved:	0	2	0	2	5.3
Not Achieved or Addressed:	0	4	0	4	10.5
Not Applicable:	3	4	5	12	

### STATUS OF WELL-BEING OUTCOME 2

Texas did not achieve substantial conformity with Well-Being Outcome 2. This determination was based on the finding that only 84.2 percent of the applicable cases reviewed were rated as having substantially achieved this outcome, which is less than the 90 percent required for substantial conformity.

#### Item 21. Educational needs of the child

\_\_\_\_ Strength        X   Area Needing Improvement

**Review Findings:** An assessment of item 21 was applicable for 38 of the 50 cases reviewed. Cases that were not applicable were those in which the children were too young to be enrolled in school or preschool, or those in-home services cases in which the children did not have issues pertaining to educational needs. The results of this assessment were the following:

- Item 21 was rated as a Strength in 32 (84%) of the 38 applicable cases.
- Item 21 was rated as an Area Needing Improvement in 6 (16%) of the 38 applicable cases.

Cases were assigned a rating of Strength for this item when reviewers determined that educational needs were assessed and appropriate services provided. In 14 cases, special education needs were assessed and services provided and in 8 cases early intervention needs were assessed and services provided. Other education-related services included tutoring and speech therapy.

Cases were assigned a rating of Area Needing Improvement when reviewers determined that (1) educational needs had not been appropriately assessed and/or (2) the child had been referred for services or educational services had been recommended, but the caseworker did not follow up to determine whether services had been provided.

Stakeholders commenting on this item expressed the opinion that it is a struggle to meet the educational needs of children in foster care, primarily because of the lack of foster homes, which means that children experience multiple placements often resulting in multiple school changes. In one case included in the case review process, the child had experienced three school changes during the academic year and had to go to summer school as a result of the frequent school changes. A few stakeholders noted that foster parents are often effective advocates for ensuring that children's educational needs are met, but that caseworkers need training to be more effective advocates for children's educational needs.

***Determination and Discussion:*** Item 21 was assigned an overall rating of Area Needing Improvement because the State did not achieve substantial conformity with Well-Being Outcome 2, which involves the assessment of item 21 alone. Also, in 16 percent of the applicable cases, reviewers determined that the State had not acted appropriately in meeting the children's educational needs. Findings of the Statewide Assessment are consistent with the case review findings with respect to foster care cases, but not with respect to in-home services cases. According to the Statewide Assessment, case readings conducted in preparation for the Federal Review indicated that educational issues for children in foster care were appropriately addressed in 83.3 percent of cases read and educational issues for children in FBSS cases were appropriately addressed in 100 percent of cases read.

### Child Well Being Outcome 3

<b>Outcome WB3: Children receive adequate services to meet their physical and mental health needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Team 1 Cameron</b>	<b>Team 2 Harris</b>	<b>Team 3 Lubbock</b>	<b>Total Number</b>	<b>Total Percentage (of 48 applicable cases)</b>
Substantially Achieved:	10	15	10	35	72.9
Partially Achieved:	0	7	2	9	18.8
Not Achieved or Addressed:	1	3	0	4	8.3
Not Applicable:	1	1	0	2	

## STATUS OF WELL-BEING OUTCOME 3

Texas did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in only 72.9 percent of the cases, which is less than the 90 percent required for a determination of substantial conformity.

Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented and discussed below.

### Item 22. Physical health of the child

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** An assessment of item 22 was applicable for 44 of the 50 cases reviewed. Cases that were not applicable for this assessment were in-home services cases for which no physical health issues were identified. All cases involving children in foster care were applicable for an assessment of item 22. In assessing this item, reviewers were to determine whether (1) children's physical health needs had been appropriately assessed, and (2) the health services designed to meet those needs had been provided. The findings of this assessment were the following:

- Item 22 was rated as a Strength in 36 (82%) of the 44 applicable cases
- Item 22 was rated as an Area Needing Improvement in 8 (18%) of the 44 applicable cases.

Foster care cases were assigned a rating of Strength for this item when reviewers determined that (1) the State provided services to the child to address any health-related needs, (2) the child had regular physicals and dental check ups, (3) immunization records were in the case file and up to date, and (4) foster parents had received all relevant health-related information at the time of placement. In-home services cases were assigned a rating of Strength for this item when there was an identified health-related concern and the State included this health related concern in the service plan and provided services to address this concern.

There were four foster care cases that were assigned a rating of Area Needing Improvement for this item because reviewers determined that (1) the child did not receive a comprehensive health screening within 30 days of entering foster care; (2) recommendations for health service based on the health screening were not been addressed; and (3) the child's immunization records are missing from the file or were not up-to-date. The four in-home cases that were assigned a rating of Area Needing Improvement for this item included cases in which reviewers determined that there were relevant health needs for the children that were not addressed in the service plan.



In one foster care case involving a 16 year old, the reviewer noted that the child had been without her glasses for several months because she lost them and the worker said that Medicaid will only pay for one pair of glasses a year. Although the worker told the reviewer that she would try to identify other funds to buy glasses for the child, this problem had not been addressed for months.

Stakeholders commenting on this issue primarily addressed the issue of insufficient health care services and the dearth of providers who will accept Medicaid. Specific comments on this issue are presented in the discussion of item 35.

***Determination and Discussion:*** Item 22 was assigned an overall rating of Area Needing Improvement because in 18 percent of the cases, reviewers determined that the State had not been effective in meeting the health care needs of the children. The key problems identified with respect to foster care cases were (1) failure to conduct a health assessment in a timely manner and (2) a lack of documentation in the case record of health information, such as immunization records, and services provided in response to health assessments. According to the Statewide Assessment, these findings are contrary to Texas policy, which requires that children placed in the care of PRS are given a comprehensive medical exam within 30 days of initial removal and dental exams as appropriate, and that caseworkers are required to obtain immunization records on all children who have entered out-of-home care and that these records are to remain in the case file for the life of the case.

The key problem identified for in-home services cases was that there were health issues of concern for the children, but the State did not address them. Again, this is contrary to Texas policy. According to the Statewide Assessment, caseworkers in FBSS cases are charged with conducting an assessment of health needs for each family and then including services to address those needs in the service plan. The plan is then reviewed every 90 days thereafter. If no health needs are identified, the caseworker will not address health needs and services in the service plan but will monitor health progress as part of regular case contact with the family. The Statewide Assessment noted that case readings conducted in preparation for the Federal Review found that health issues for children in FBSS cases were appropriately addressed in 90.9 percent of cases read.

### **Item 23. Mental health of the child**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

***Review Findings:*** An assessment of item 23 was applicable for 39 of the 50 cases reviewed. Cases that were not applicable were foster care cases in which the child was too young for an assessment of mental health needs, and those in-home services cases in which the children's mental health needs were not an issue. In assessing this item, reviewers were to determine whether (1) mental health needs had been appropriately assessed and, (2) services to address those needs had been offered or provided. The findings of this assessment were the following:

- Item 23 was rated as a Strength in 33 (82.5%) of the 40 applicable cases.
- Item 23 was rated as an Area Needing Improvement in 7 (17.5%) of the 40 applicable cases.

Reviewers noted that in 28 cases, children's mental health assessments were addressed "significantly," and in 27 cases, children's mental health service needs were met "significantly." Reviewers also determined that in 8 cases, children's mental health assessments were addressed "partially" or "not at all," and in 8 cases, children's mental health services needs were addressed only "partially" or "not at all." Item 23 was rated as a Strength when reviewers determined that children received comprehensive, and in some cases, intensive mental health assessments and services. Item 23 was rated as an Area Needing Improvement when reviewers determined that mental health needs were addressed only "partially" or "not at all." For the cases assigned a rating of Area Needing Improvement, the following problems were identified:

- Four foster care cases in which mental health services were recommended but were not provided.
- One foster care case in which there was inadequate follow-up on mental health services to ensure that they were being provided.
- One foster care case in which the worker was unaware of the child's mental health needs and did not know that the child was on medication for mental health purposes.
- Two in-home services case in which children had clear needs for mental health assessments and services, but these were not part of the service plan and the worker had not addressed them in any way.

As with physical health issues, Stakeholders comments relevant to mental health needs of child focused primarily on the lack of available mental health services. These comments are discussed further under item 35. However, a few stakeholders suggested that a key problem in addressing children's mental health needs, is that there is an insufficient number of caseworkers who have the training and ability to accurately assess the need for mental health services and know how to mobilize resources to meet those needs.

***Determination and Discussion:*** Item 23 was assigned an overall rating of Area Needing Improvement because in 17.5 percent of the cases, reviewers determined that the State had not been effective in meeting the health needs of the children. According to the Statewide Assessment, case readings conducted in preparation for the Federal Review indicated that mental health issues for children in care were appropriately addressed in 91.7 percent of cases read and mental health issues for children in FBSS cases were being appropriately addressed in 80 percent of cases read.

## Section 2: Systemic Factors

### IV. STATEWIDE INFORMATION SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

### STATUS OF STATEWIDE INFORMATION SYSTEM

Texas is in substantial conformity with the factor of Statewide Information System. Findings with respect to the item assessed for this factor are presented below.

**Item 24. State is operating a Statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.**

☒ Strength      ☐ Area Needing Improvement

Item 24 was assigned a rating of Strength because the Texas Statewide information system and related data and information technology capabilities far exceed the requirements of the review.

The Texas Child and Adult Protective System (CAPS) was implemented in 1996 and functions as Texas's comprehensive Statewide Automated Child Welfare Information System (SACWIS). CAPS is available statewide 24 hours a day, 7 days a week and supports all aspects of casework from intake to post adoption services. CAPS also supports APS and CCL casework and investigations. CAPS goes far beyond being able to identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

CAPS is the data source for Texas' yearly National Child Abuse and Neglect Data System (NCANDS) report as well as Texas' Adoption and Foster Care Analysis and Reporting System (AFCARS) data, reported biannually. In addition, CAPS supports a variety of other Web-based tools

used in information processing and analysis and incorporates unique functions, including the Data Warehouse, the Court Improvement Project, and tele-working.

According to the Statewide Assessment, CAPS is perceived by the State as a clear strength. The consolidation and centralization of CAPS has improved case management. Cases can be accessed simultaneously allowing for flexible case reporting and monitoring. All CPS field staff can access CAPS to input data. Supervisors can electronically review case information and documentation at any given time, supporting on-going monitoring of cases for evaluation purposes. In addition, use of the CAPS application forced statewide standardization in use of forms and enforced system-wide edits applied to casework activities. For example, an investigation cannot be closed without completion of a risk assessment or acknowledgement that a risk assessment is not appropriate for that specific case. For placement activities, CAPS prevents caseworkers from placing children in facilities that do not have contracts with the State and that are not approved for the correct level of care. Edits in the automated system increase the likelihood that data is entered timely and accurately.

The majority of stakeholders commenting on this issue also perceive CAPS as a strength for the State. State personnel reported that it is an effective case management tool and workers generally like it. Stakeholders suggested that data generated from CAPS helps management to monitor caseload status and observe performance trends in order to address problem areas. Court staff indicated that it expedites the flow of cases, particularly with regard to moving toward permanency. A variety of stakeholder suggested that CAPS produces a lot of useful reports and useful information on the intranet and the Data Warehouse.

Despite the numerous positive opinions regarding CAPS, there was consensus among stakeholders that there are issues that need to be addressed with the system. These included the following:

- CAPS is not as worker friendly as it could be.
- It is difficult to change case plans on CAPS and CAPS only allows for one case goal, so that concurrent planning goals cannot be entered.
- The emphasis of CAPS is always on improving investigations, not services.
- CAPS requires that workers spend too much time at the computer instead of being with clients.
- County attorneys have limited access to CAPS.
- The judiciary does not have access to all of the CAPS information they need.
- The conservatorship stages in CAPS continue to be the most complex, difficult to maintain and least improved.

## V. CASE REVIEW SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3X	4

### STATUS WITH REGARD TO CASE REVIEW SYSTEM

Texas is in substantial conformity with the factor of Case Review System. Findings with respect to specific items assessed for this factor are presented below.

**Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

Item 25 is rated as an Area Needing Improvement because although PRS ensures that every child has a written case plan, there is evidence from the CFSR that involving parents as partners in developing the case plan is not always a consistent practice among caseworkers.

According to the Statewide Assessment, PRS policy requires that caseworkers develop a case plan for all children in foster care and all families receiving FBSS services. The Statewide assessment identified the following activities as those that the State has implemented to support family involvement in the case planning process:

- The use of Spanish-speaking workers or interpreters, when appropriate.
- Encouragement to foster parents and other caregivers to invite the parents to participate in service planning efforts during the course of interactions with the parents.
- Provision of transportation to parents when needed.
- Help for parents to attend facility treatment staffings when and where it is feasible to do so.
- Encouragement to parents to identify what they need help with and efforts to provide services to meet those needs;
- Training and direction to PPT conveners to make parents feel welcome at PPT staffings, give parents an opportunity to discuss their service planning concerns, and make sure the worker has clearly identified to the parents what they are being asked to do in the family service plan.
- Use of the attorney(s) for the parent(s) to encourage participation.

Stakeholders expressed the opinion that overall the State does an adequate job in engaging parents in the case planning process. However, many stakeholders noted that there is a lack of consistency across the State in involving parents in the case planning process. Most stakeholders holding this opinion attributed the lack of consistency to the high level of staff turnover in the State, which results in having inexperienced or overburdened caseworkers responsible for developing case plans. Because the involvement of parents in the planning process requires time and a certain level of skills, inexperience or overburdened workers may not be able to fully comply with this requirement. Stakeholders' perceptions were supported by the case review finding that 21 percent of the applicable cases, reviewers determined that parents had not been appropriately involved in the case planning process.

**Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.**

☒ Strength      ☐ Area Needing Improvement

Item 26 was assigned a rating of Strength because the general finding of the CFSR process was that PRS provides periodic administrative and sometimes court reviews of the status of each child at least once every 6 months.

According to the Statewide Assessment, the State provides periodic reviews of the status of each child at least once every 6 months and often more frequently. The Statewide Assessment also notes that although Federal requirements are to have either administrative or court reviews, Texas does both. A court review at the 60-day status hearing not only requires completion of the case plan, but verification that families understand the plan. PPT reviews ensure that families are involved in the case planning process. Ongoing challenges remain with barriers such as transportation to and from PPT reviews for families, participation by youth, language barriers, and the ongoing training issues associated with ensuring each plan is individualized to child and family-specific needs.

Stakeholders commenting on this issue indicated that case reviews on the status of each child occur at least every 6 months, but usually more frequently. Stakeholders also expressed the opinion that the PPT is an effective tool for developing high quality case plans and for "keeping things on track." However, according to some stakeholders, parents do not always participate in the PPT meetings or when they participate, they become defensive and cannot participate in a constructive way. More training and skills are needed for workers and conveners to ensure productive PPT reviews. Consistent with this observation, stakeholders also noted that there is extensive variation across the state regarding the quality of case review, which may be a function of the variation in worker's experience and skills.

**Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.**

☒ Strength      ☐ Area Needing Improvement

Item 27 is rated as a Strength because PRS policy ensures that each child in foster care has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter. As noted in the Statewide Assessment, Texas employs both administrative and court hearings to review children's progress toward permanency.

Stakeholders confirmed the fact that hearings are usually held more frequently than every 12 months. In addition, stakeholders commenting on this issue noted that judges generally are geared toward moving cases to permanency and the State use of cluster courts in more rural communities has significantly expedited movement of cases to permanency. Stakeholders also noted that having plans filed before court also helps the courts focus on moving cases to permanency.

For several stakeholders, however, the focus on moving cases to permanency as quickly as possible is not always viewed as being in the best interest of the children. These stakeholders expressed concern about children being reunified with parents when family safety issues had not been adequately addressed, or parents having their parental rights terminated without having sufficient time to bring about the changes necessary to have their children returned. One stakeholder suggested that there was a lack of clarity throughout the system about the respective roles of the court and the State in case planning, service selection, and decision-making. A few stakeholders in one county suggested that the State needs stronger legal representation to support decisions that it believes are in the child's best interest and to appeal decisions that are not. In addition, several stakeholders noted that while some children are receiving "legal permanency" within 12 months, there is an increase in children who are in long-term foster care status, referred to as "permanent managing conservatorship." Concern was expressed that these children no longer have permanency hearings, but they have not actually achieved permanency.

**Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.**

☒ Strength      ☐ Area Needing Improvement

Item 28 is rated as a Strength because the Texas permanency initiative/legislation exceeds ASFA requirements.

According to the Statewide Assessment, legislation was passed in Texas in June 1997 that launched a permanency initiative beginning on January 1, 1998 to bring prompt legal resolution to PRS cases. Under this legislation, children who come into the State's temporary legal care must have final legal orders issued within 12 months, with the possibility of a one-time, 6-month, court-ordered extension. The permanency/placement hearings now press the parties to identify and request services early and to make decisions early so that final resolution can be obtained in the 12- to 18-month time frame, including decisions about TPR. The hearings (in addition to the PPT reviews) help to identify changes that may need to be made. Since the parties don't always agree on what should be done, the court review hearings allow the judge to make decisions and issue orders to get through obstacles.

As noted in the discussion to item 27, not all stakeholders appear to support the activities being undertaken as part of this new legislation. In particular, several, but not all, stakeholders expressed the opinion that expedited decision-making regarding TPR may not be in the best interests of the child. Some stakeholders indicated that TPRs are actively pursued from 6 to 8 months, well ahead of the ASFA requirements, that the "compelling reasons" option is rarely used, and that TPR is pursued even if adoption is not likely to be achieved. These stakeholders noted that rather than increasing permanency, this results in children lingering in foster care post TPR. A key concern expressed by stakeholders internal to the State is that the focus on attaining TPR has resulted in a "bottleneck" at the other end of children who are available for adoption but for whom no adoptive families have been identified.

**Item 29. Provides a process for foster parents, preadoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.**

☒ Strength      ☐ Area Needing Improvement

Item 29 was rated as a Strength because the State provides a process for notifying foster parents, pre-adoptive parents, and relative caregivers regarding reviews and hearings and provides an opportunity for them to be heard.

According to the Statewide Assessment, foster parents, pre-adoptive parents, and relative caregivers are given the opportunity to participate in all major court and/or administrative reviews, including PPT meetings and court permanency and placement hearings. This group must be notified of court hearing and they must be allowed to be present, and to hear and present testimony. Notification for PPT reviews is sent by either the convener or the worker. The conveners ensure that caretakers have a chance to participate during the review and raise questions if caregivers are not present at staffings or if there is no documentation that they were invited. Foster parents are strongly encouraged to participate in the PPT process. State law facilitates this participation by providing legal standing to a foster parent if the child has been in the foster home longer than 12 months. Although foster and adoptive parents are routinely invited to attend, attendance patterns vary throughout the state.



Foster parents, pre-adoptive parents, and relative caregivers are given the opportunity to participate in all major court reviews as well as PPT reviews. Texas Family Code and CPS policy require that notice of court hearings be given to this group and that they be allowed to be present to hear and present testimony.

Stakeholders commenting on this issue noted that foster parents, pre-adoptive parents, and relative caregivers routinely participate in PPT reviews and are encouraged to participate. However, stakeholders noted that although foster parents and relative caregivers are informed about court hearings, and invited to attend, they are not always permitted or encouraged to give testimony. One stakeholder noted that in one county, the judge asks if the foster parents have anything to say after the decisions had already been made. Another stakeholder noted that the judge views foster parents as responsible for supervising the children in the courtroom rather than as individuals who can testify in the case.

## VI. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

## STATUS OF QUALITY ASSURANCE SYSTEM

Texas is in substantial conformity with the factor of Quality Assurance System. Findings with respect to the specific items assessed for this factor are presented below.

### **Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.**

  X   Strength             Area Needing Improvement

Item 30 was assigned a rating of Strength because the State has the necessary standards in place.

According to the Statewide Assessment, the Child-Care Licensing Division (CCL) of the Texas Department of Protective and Regulatory Services (PRS), is responsible for protecting the health, safety, and well-being of Texas children in child-care facilities, family homes, and child-placing agencies that provide foster care and pre-consummated adoption services to children in the State's care or custody. State foster homes that are verified by private agencies and by PRS's 11 certified child-placing agencies, are only inspected when there are allegations of abuse/neglect or serious standards violations. Each child-placing State is responsible for maintaining compliance with minimum standards for the State. It must verify and monitor all of its foster and adoptive homes for compliance with minimum standards before and after verification. The State must develop a plan for carrying out child-placing State responsibilities and provide it to CCL at the time the application for licensure is submitted. CCL must be informed of any changes to this plan before the changes are implemented. The plan must establish an ongoing schedule of monitoring inspections for all State homes after verification. Individual homes must be monitored once a year, but should be monitored more frequently based on risk to children, frequency of non-compliances, repeated non-compliances, failure to correct non-compliances, the monitoring plan as assigned by CCL, and any other risk variables. In addition, the State has in place a certification process to promote quality casework.

**Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.**

☒X\_\_\_ Strength      \_\_\_\_\_ Area Needing Improvement

Item 31 was assigned a rating of Strength because the State operates an effective quality assurance (QA) system and is moving toward using the model implemented by the CFSR process.

According to the Statewide Assessment, PRS has a continuously developing quality assurance (QA) system. Components of the State's QA system comprise multiple levels of checks and balances, including case reading, regional reviews, and scrutiny of intake disagreements and multiple referrals. Involvement of external stakeholders, particularly through the STEP initiative, has opened up the entire system to scrutiny from within and without.

Stakeholders commenting on this issue noted that although there is no Statewide outcome-based QA process at present with data and quality measures, they are moving toward that approach using the CFSR process as a model. Each region in the State has a QA system that includes risk directors, case analysts, and region-specific plans with an annual review to determine improvements made. Case analysts and risk directors are used to identify trends and modify practice and policy based on information obtained from case reviews. Regional administrators take trend issues and adjust the programs in region accordingly. At the State level, PRS conducts annual case reviews to ensure compliance, does a biannual assessment of intake calls, particularly with regard to assigning priority to calls, evaluates programs from a systems level using the research division, conducts a survey of the State's performance on an annual basis as required by legislature, and

obtains feedback from a parent collaboration group with representation from every region. Also, in conducting their Statewide Assessment, PRS instituted a process similar to the CFSR for assessing outcomes and overall State performance.

Other stakeholders commenting on this issue noted that the Citizen Review Teams provide QA through case reviews and identification of gaps in service delivery. These Review Teams also make recommendations for training topics based on review findings. Information from all of the QA activities is used by the QA division to identify potential training needs and areas where policy changes may be needed.

There was general consensus among stakeholders that CAPS is a major facilitating factor in the QA process and that it allows QA to be an ongoing process, because CAPS is an ongoing system. Stakeholders expressed some mixed opinions regarding the involvement of external stakeholders in the QA process, although many stakeholders expressed praise for the STEP initiative which involved a survey of all external stakeholders regarding the State's performance in each of the areas covered by the CFSR.

## VII. TRAINING

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

### STATUS WITH RESPECT TO TRAINING

Texas is in substantial conformity with the factor of Training. Findings with respect to items assessed for this factor are presented below.

**Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.**

  X   Strength             Area Needing Improvement

Item 32 is rated as a Strength because of the high quality of the State's staff development and training program.

According to the Statewide Assessment, the State operates a Basic Skills Development (BSD) training program that is the initial training provided to child welfare State staff. All newly hired CPS Specialists receive BSD trainings held in each of the eleven regional training units. The training consists of a standardized curriculum of ten modules in combination with classroom and on-the-job training experiences and activities. Upon completion of the BSD training, all CPS Specialists are administered an Exit Exam. Upon successful completion of the BSD training, new hires return to assigned units and begin assuming caseload responsibilities. The State is currently in the process of evaluating the BSD and plans to track new employees to see if and how they use the training while on the job.

The Statewide Assessment also notes that the State operates a Statewide Intake Basic Skills Development (SWI BSD) training, which is 5-week classroom and on-the-job (OTJ) training program designed to provide entry-level skills for PRS intake staff who receive, assess, and disseminate information for the protection of vulnerable persons. On the job training experiences are interspersed with the classroom activities to provide an opportunity to apply concepts to the SWI job functions. Trainee comprehension is evaluated on a continuous basis throughout and includes written assignments, partner recorded role-plays, and a variety of assessment tools. SWI BSD occurs six times each year.

Another available staff development program is the Supervisor Management Training. The purpose of CPS Supervisor Management training is to provide newly promoted/hired supervisors with knowledge and skills in managing CPS units and supervising CPS caseworkers in the delivery of quality services. The training is designed to provide practical management applications of CPS supervisory skills. The training is six days in length and divided into two components. Part I includes Administrative Supervision, Decision Making, and Educational Supervision. Part II includes Placement, Case Plans, and Legal Training for CPS Supervisors. New CPS supervisors generally attend this training in the third or fourth month after selection to the supervisory position.

Stakeholders commenting on this issue expressed the opinion that training is an important issue for PRS because of the extensive staff turnover at the State. A State analysis indicates that the highest level of turnover exists among fairly recently hired and trained staff, thus making the time and effort spent on training problematic. A stakeholder from the State noted that they have developed a video to be shown to potential applicants to expose them to the job and let them make better informed decisions about continuing with the application process.

Stakeholders generally praised the BSD training, noting that it was particularly effective for investigations. Stakeholders also gave particularly high praise to the on-the-job features of the training, especially the mentoring by supervisors.

**Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.**

☒ Strength      ☐ Area Needing Improvement

Item 33 was assigned a rating of Strength because there is an array of ongoing training opportunities for staff that address the skills and knowledge base needed to carry out their duties.

According to the Statewide Assessment, one opportunity is the certification program for CPS workers and supervisors. The certification program builds on the BSD new-hire training and sets forth a guided and outlined course of training. The State supports the additional knowledge and skill building and promotes these training opportunities through the PRS PDD Web site as well as the PSTI Web site. Stakeholders believe that the certification program will enhance worker retention because compensation increases after certification for both workers and supervisors.

In addition to the certification program, PRS provides a large array of specialized, management/leadership, cultural diversity, intake and ASFA training programs. Stakeholders commenting on this issue generally expressed the opinion that the State supports and provides ongoing training for staff and that an extensive array of training opportunities are available. State staff indicated that ongoing training efforts are very useful and that the State supports their attendance. However, staff also indicated that participation in training is severely limited by their workloads. Stakeholders noted that staff that are certified have to participate in 20 hours of training each year to maintain their certification.

Several stakeholders identified areas in which additional training was needed. These included the following:

- Training in presenting in court to build confidence among workers regarding giving testimony.
- More in-depth training on the Indian Child Welfare Act to ensure compliance with that law.
- More joint training between State workers and staff of related disciplines.
- Training from providers on specific issues, such as how to read a psychological evaluation.
- Supervisor training that is more specific to the job rather than general management training.

PRS also takes advantage of the title IV-E supported program to encourage staff to continue their education toward a Masters in Social Work (MSW) degree. The State works with various Universities to enroll staff in MSW programs and managers and supervisors support these training opportunities.

**Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.**

☒ Strength      ☐ Area Needing Improvement

Item 34 is rated as a Strength because the State provides quality training for foster parents, adoptive parents, and staff of State licensed or approved facilities. According to the Statewide Assessment, training of foster families is supported through minimum standards and guidelines for child-placing agencies. The only gap remaining in training is in the area of relative placements, which are unlicensed. Efforts to address this issue have begun with an adoption opportunity grant, with expansion to other parts of the state being a possibility. For the most part, training of foster families uses the PRIDE curriculum.

Most stakeholders commenting on this issue expressed the opinion that training for foster parents was strong, especially when the PRIDE curriculum was used. Foster parents made positive comments about the training and indicated that the hands-on aspect of training involving scenarios and employing specific types of strategies were particularly effective. Stakeholders noted that ongoing training for foster parents is generally accomplished through attendance at State conferences through speakers at foster parent association meetings. However, some foster parents suggested that they are not getting what they need with respect to follow-up training and would like more training on how to work with the children in their care who have multiple problems and how to work with parents to help them become good parents.

## VIII. SERVICE ARRAY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3X	4

### STATUS OF SERVICE ARRAY

Texas is in substantial conformity with the factor of Service Array. Findings with respect to items assessed for this factor are presented below.

**Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.**

  X   Strength             Area Needing Improvement

Item 35 is rated as a Strength because the CFSR process indicated that the State has a wide array of services to meet the needs of children and families.

According to the Statewide Assessment, PRS has strength in its service array and resource management. The Statewide Assessment also noted that the budget for purchased services (contracts) continues to climb each year, enabling the provision of more protective services to families in need. PRS provides family-based safety services with regular, moderate and intensive services and reunification safety services. Community resources routinely provide a major resource for services to families, either through additional funding for purchased services, blended funding for resources (CRCGs, TIFI), or through providing the resources once CPS has referred a family. In addition to the intensive family-based safety services, PRS provides regular FBSS services to any family that needs CPS assistance to reduce the likelihood that a child in the family will be abused or neglected in the foreseeable future.

According to the Statewide Assessment, there are gaps in the service array associated with insufficient resources. Challenges include waiting lists, filled caseloads, limited placement resources for children with higher-level mental health needs, language barriers, transportation needs, availability of resources in all parts of the State, and limited funding. Resource development by field staff and contract staff is an ongoing activity. Texas is aggressively pursuing grants and alternative funding sources to enhance its resources. Community collaborations with local county child welfare boards in more than 200 counties and Greater Texas Community Partners in more than 80 communities have resulted in local avenues to direct volunteer energy and community support directly to children and families and the staff providing the casework and protective services.

Stakeholders commenting on this issue generally agreed that there was an extensive array of services available in the State. Special commendations were made regarding the PAL independent living program, which is available to all youth in foster care regardless of permanency goal. Stakeholders also had high praise for the quality of assessments performed by the Children's Crisis Care Center and for the services provided through the Children's Assessment Center.

However, all of these stakeholders also asserted that the need for mental health services, particularly mental health services for children, is great, and that the lack of substance abuse treatment services is a major impediment to addressing family safety issues and facilitating reunification. A dearth of physical and mental health care providers and dentists willing to accept Medicaid also was cited as a critical service problem. An additional problem noted was that funds for contracted services often run out before the end of the fiscal year. As a result, services that are available during the first 10 months of the year are often not available during the last two months of the fiscal year.

Stakeholders suggested that the State is attempting to address these problems in a variety of ways. One way is through the PPT process, which focuses in part on helping workers and families access services. Another way is by using the Child Welfare Boards to extend services. In some regions, the Child Welfare Boards have been active in filling in many of the services gaps, particularly with regard to providing children with concrete items such as prom dresses, graduation rings, and other personal things. The boards also have been instrumental in promoting reunification by assisting families in paying utility bills or providing needed basic appliances for the home.

**Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.**

☐ Strength      ☒ Area Needing Improvement

Item 36 is rated as an Area Needing Improvement because both the CFSR process and the Statewide Assessment determined that access to services is not equal across the State and services are particularly limited in rural areas.

Stakeholders commenting on this issue confirmed this perception. The general opinion expressed was that the State was too large and had too many rural areas to have the full range of services in every community. In addition, the services that are scarce in the larger communities, such as substance abuse treatment and mental health services for children, simply do not exist in smaller communities.

The State is addressing this problem in a variety of ways. For one, State stakeholders indicated that the State is writing Requests For Proposals for private agencies to develop resources in rural areas. The State also is encouraging and supporting the development of Volunteer Child Welfare Boards to extend service availability in rural areas. Boards help fill in gaps in services to meet the individualized personal needs of children in foster care.

**Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.**

☒ Strength      ☐ Area Needing Improvement

Item 37 is rated as a Strength because services can be tailored to meet the unique needs of children and families.

According to the Statewide Assessment, child and family services plans are designed to meet the unique needs of children and families. Stakeholders suggested that in general, the services that are part of the State's service array can be individualized and that the State does not take a "cookie cutter" approach to providing services. Stakeholders also noted that PPT meetings are an excellent vehicle for identifying and addressing individual service needs. However, all stakeholders commenting on this issue noted that if the individual needs are for high level mental health services, it is likely that these needs will not be met because of a lack of these services in many places in the State.



## IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

### STATUS WITH REGARD TO AGENCY RESPONSIVENESS TO THE COMMUNITY

Texas is in substantial conformity with the factor of State Responsiveness to the Community. Findings with respect to specific items Assessed for this factor are presented below.

**Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.**

  X   Strength             Area Needing Improvement

Item 38 was assigned a rating of Strength because the general finding of the CFSR review is that the Texas child welfare agency is highly responsive to the community.

According to the Statewide Assessment, the value placed on the public/private partnerships, the support of the community towards the State, the attitude towards the community as a key stakeholder, legislative involvement in the process, and the enhanced communication between the State and the community as a whole have improved greatly over the last five years. Community initiatives exist in diverse projects from one end of the State to the other.

Stakeholders commenting on this issue expressed the opinion that the State is very interested in collaborating with the community and takes a very open approach to working with the community. All stakeholders indicated that the State has involved the community in a variety of efforts and activities and has engaged the community as partners throughout the State. Some of the linkages that stakeholders identified as particularly critical include the following:

- The existence of a parent group that provides ongoing feedback to State administrators.
- The placing of reports, including the CFSP, and licensing results on the Internet for public access.

- The involvement of the foster parents' association in all program administrators' meetings.
- The efforts of PRS administrators to educate the community on PRS's role and mission.
- The engagement of external users of SWI to help improve it.
- The use of County Boards as a source of information about local level operations.
- The implementation of an SWI speakers' bureau to educate public and community about abuse and neglect.
- The development of strong partnerships with the provider community, and the implementation in some areas of wraparound services in co-located service centers.
- The implementation of the Strength Through External Partnerships (STEP) projects, which is a major initiative aimed at pro-active systems reform in Texas.
- The Citizen Review Teams, which are citizen-based panels established by the State to evaluate department casework and decision-making related to investigating and providing services to abused and neglected children.

**Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.**

☒ X Strength      ☐ Area Needing Improvement

Item 39 is rated as a Strength because the State works with community representatives in preparing the State's Child and Family Services Plan and other progress reports.

According to the Statewide Assessment, the goals, objectives, and strategies that served as the basis for PRS's initial five-year Child and Family Services Plan (CFSP) for Texas, submitted June 29, 1995, were developed by combining both internal and external consultation into a single process. This process facilitated coordination and collaboration among families, children, providers, funders, and policy makers. Key to the process was a public meeting that served the dual purpose to inform public and private agencies, policy makers, advocacy groups, and other helping systems about the consultative process and to educate the leadership of those organizations about the requirements and intent of Title IV-B of the Social Security Act. Other elements of this initial consultative process included town meetings with families and children, providers, advocates, natural support systems, and local government in numerous communities across the state. A media campaign was conducted to ensure widespread notice and interest. Eventually, a series of 27 community meetings were held across the state.

The Statewide Assessment also noted that in March 2001, a survey was developed and used to solicit input on topics of child safety, permanency, well-being, and local availability of services to families. Surveys were given out at the Texas Families Conference, Child Fatality Review Team Conference, Supreme Court Task Force meeting, Cluster Court meeting, the Court Improvement Project (CIP) Task Force meeting, Texas Council of Child Welfare Boards meeting, CPS Program Directors meeting, CASA conference, Statewide Prosecutor's conference, and Foster Parents' Conference. Approximately 1,500 surveys were distributed. Total number of responses received as of October 9, 2001 was 440. Responses were

grouped according to roles or area of involvement in regard to a child who is receiving CPS services. The groups with the most responses are CPS staff, foster parents, CASA volunteers, attorneys, and law enforcement members.

Stakeholders commenting on this issue were in general agreement that annual reports of progress were both developed in conjunction with community partners and shared with community partners. Several stakeholders noted that the State places all key reports and data on the Internet for public access, shares reports specifically with community partners, and distributes statistics that are compiled locally throughout the community. Stakeholders expressed complete satisfaction with their level of engagement and participation in the implementation of all provisions of the CFSP.

**Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.**

☒ Strength      ☐ Area Needing Improvement

Item 40 was assigned a rating of Strength because the State coordinates its services under the CFSP with other Federal or federally assisted programs serving the same population.

According to the Statewide Assessment, PRS collaborates and coordinates formally and/or informally with the following agencies assigned by the Texas Legislature with the responsibility for administering various federal programs:

- PRS coordinates with TWC on the use of Child-Care and Development Funds to provide protective day care to families at risk of abuse or neglect.
- PRS coordinates inspections of child-care facilities with TWC and TDH to eliminate duplication of inspections.
- PRS coordinates with DHS to ensure that PRS-licensed facilities remain eligible to participate in the Child Care and Adult Food program with as little disruption as possible.
- PRS maintains contacts with TDH's Bureau of Managed Care, HHSC, MHMR, and TCADA regarding Medicaid managed care services to children in PRS care.
- PRS and HHSC are assisting MHMR in the evaluation of a legislatively mandated pilot project on the effectiveness of the intensive community-based service option for children and families in decreasing the use of and/or length of stay in residential treatment.
- PRS collaborates with OAG concerning child support for children in foster care. State statute required the OAG to consult with PRS on the processing of foster care cases as a part of its pilot program to improve the efficiency of court processing.
- PRS collaborates with MHMR and TRC to set up transitional services for children aging out of care with mental health disabilities.
- PRS coordinates with TCADA to identify appropriate lengths of stay and community-based aftercare services for CPS children receiving residential substance abuse treatment. PRS is also coordinating with TCADA to expand services available to parents/families.

- PRS collaborates with the Texas Respite Resource Network, TDH, and MHMR to develop new respite care services and to support new funding strategies.
- PRS has participated in the Colonias Work Group. This work group focuses on coordination among HHS agencies serving residents of the Texas-Mexico border Colonias.
- PRS has also participated in an interagency work group to develop a state plan for prevention services. The plan was coordinated by the HHSC and involved all state children's service agencies that have a role in prevention. The plan will be presented to agencies and legislators during State Fiscal Year 2002.
- PRS collaborated with the Children's Trust Fund before it became a part of PRS to provide a train-the-trainer's curriculum for CPS, Child-Care Licensing (CCL), and CASA on Shaken Baby Syndrome and Sudden Infant Death Syndrome (SIDS). PRS and CASA staff will be able to deliver this curriculum statewide. This collaboration also provides a one-day seminar on Shaken Baby Syndrome and SIDS in each region for community professionals.
- PRS staff has worked with Family PRIDE (Principles, Responsibility, Integrity, Discipline, Education) Coalitions and Community Coalitions to provide child abuse/neglect community awareness statewide under the Children's Trust Fund.
- PRS staff participates in ad hoc work groups on Medicaid waivers, memorandums of understanding with TEA and other child-serving agencies relating to residential facilities, transition planning, and permanency planning.
- PRS collaborates with the Casey Family Program on a Foster Care Alumni Project to provide support for former foster care youth, and other projects aimed at helping youth move from foster care to adulthood more successfully.
- PRS continues to work with the Texas Integrated Funding Initiative (TIFI) Consortium to develop systems of care in local communities for children with serious emotional disturbances and their families through the integration of federal, state, and local funds and other resources. The Health and Human Services Commission leads this consortium with representation from the TEA, PRS, TYC, JPC, MHMR, TACADA, and an equal number of family advocates. Within the first year (1999–2000), additional members included two youth representatives, the Texas Council for Developmental Disabilities, the State Office of Community Resource Coordination Group (CRCG), and the TDH, and their respective family representatives. The current TIFI Expansion sites are the Mental Health Association of Greater Houston in Harris County, Project STAND Intervention Program at the Juvenile Probation Department in Lamb County, the Tarrant County Mental Health Council - Lena Pope Home, and Tri-County MHMR.

Stakeholders commenting on this issue agreed that coordination of services is a clear strength of the PRS with programs funded at local as well as Federal levels.

## **X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

<b>Rating of Review Team Regarding Substantial Conformity</b>				
Rating	<b>Not in Substantial Conformity</b>		<b>Substantial Conformity</b>	
	1	2	3X	4

### **STATUS WITH REGARD TO FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

Texas is in substantial conformity with the factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings with respect to specific items assessed for this factor are presented below.

#### **Item 41. The State has implemented standards for foster family homes and childcare institutions which are reasonably in accord with recommended national standards.**

☒ Strength      ☐ Area Needing Improvement

Item 41 is rated as a Strength because the State has implemented standards that are in accord with recommended national standards.

According to the Statewide Assessment, the promulgated standards are drawn from rules adopted by the Board of the Texas Department of Protective and Regulatory Services (PRS). All rules and standards adopted by PRS are published for public comment and may receive public testimony prior to adoption. Internally, PRS continually reviews standards and rules to identify areas that require revamping because of legislative changes, best practice changes, and public responses.

No concerns were expressed by stakeholders regarding licensing standards or their application. One stakeholder noted that Texas is member of National Association of Regulatory Administrators, which is a group that promotes national standards.

#### **Item 42. The standards are applied to all licensed or approved foster family homes or childcare institutions receiving title IV-E or IV-B funds.**

☒ Strength      ☐ Area Needing Improvement

Item 42 was rated as a Strength because the standards are applied to all licensed or approved foster family homes or childcare institutions receiving title IV-E or IV-B funds. Standards are applied equally to children placed in substitute care both in public and private verified foster care settings, and in relative placements.

Stakeholders did not express any concerns with this issue and noted that the State has workers dedicated to regulating foster and adoptive homes.

**Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.**

☒ Strength      ☐ Area Needing Improvement

Item 43 is rated as a Strength because the State complies with Federal requirements for criminal background clearances.

According to the Statewide Assessment, all prospective foster and adoptive parents must clear a criminal history check under rules set forth through the Licensing Division of PRS. In addition, all household members of the prospective foster and adoptive parents who are 14 years of age or older must receive a criminal background check. The PRS criminal history apply equally to foster and adoptive parents verified or approved through the public agency or through private child-placing agencies. These rules are more stringent than the minimum criminal history requirements found in ASFA. Child Protective Services (CPS) and the Licensing Division of PRS primarily utilize the criminal history files maintained by the Texas Department of Public Safety (DPS). In addition, local law enforcement records and fingerprint records from the Federal Bureau of Investigation (FBI) can be accessed. To ensure continued safety, State law requires that criminal history checks on verified foster parents be conducted every two years. Texas State statute and PRS rules also require that the criminal history report on prospective adoptive parents be current within one year of the judicial order that a criminal background check be conducted on the prospective adoptive parents.

Stakeholders commenting on this issue generally expressed the opinion that the State exceeded Federal requirements for criminal background checks.

**Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.**

☐ Strength      ☒ Area Needing Improvement

Item 44 was rated as an Area Needing Improvement because although the State has aggressive recruitment programs, the lack of foster homes and the retention of foster homes is problematic and impacts the State's ability to achieve stability and permanency for children. According to the Statewide Assessment, the State has multiple ongoing efforts to recruit potential foster and adoptive families. The major effort has focused on adoptive families and is called the Texas Adoption Resource Exchange (TARE). TARE was established so that children with special needs and families who are willing to adopt them are brought together in an expeditious manner. TARE has produced a photo-listing book that is distributed to over 500 recipients nationwide, including private and public adoption agencies, support groups, and Texas PRS staff.

TARE also provides statewide access to the National Adoption Exchange (NAE) database to adoption staff. Using individual passwords, staff can search for a family for their waiting children on the NAE database. The NAE searchable database is available to over 90 public and private adoption agencies that are looking for children for their approved adoptive families. Texas is the largest user of the NAE database as well as the FACES of Adoption Web site, with 840 children registered in both.

In addition to TARE, the State has a One-Church One Child program that assists PRS in recruiting adoptive families for minority children. And an Advisory Committee on Promoting of Minority Children is tasked with promoting the adoption of and provision of services to minority children.

The Statewide Assessment also indicated that the existing pool of foster parents is very close in race/ethnicity to the race/ethnicity of the children in foster care, indicating that the State has been successful in recruiting families that reflect the racial and ethnic diversity in the State for whom foster homes are needed. The goal of the State is to have at least three placement options for each child who comes into the conservatorship of PRS. Increasing the pool of potential placement options increases the opportunity to match the skills and abilities of the family with the special needs of the child. This will decrease placement disruptions and moves in foster care as well as the time a child waits for a permanent adoptive home.

Although stakeholders did not comment on the race or ethnicity of foster families, there was general agreement among stakeholders that there were insufficient foster families and foster care placements in the State. Stakeholders also noted that although there are many plans and efforts underway to increase adoptive families, a corresponding recruitment effort for foster care families has not been launched. In fact, several stakeholders noted that the dual licensing of foster families as adoptive placements has seriously depleted the number of foster homes. In addition, one stakeholder suggested that it was critical for the State to focus on retention issues as well as recruitment.

**Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.**

☒ Strength      ☐ Area Needing Improvement

Item 45 was rated as a Strength because the State has implemented several initiatives to enhance cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children. These include the TARE, which is described under item 44, and a Web site that provides access to the TARE Family Network, a database of parents looking for adoptable children, as well as the National Adoption Exchange, a nationwide database of adoptive parents. Collaborative efforts with in-state private foster and adoption agencies have expanded to new outlets, including the Collaborative Adoption Project, whose goals include reducing the number of children waiting for adoption and achieving permanency quicker with fewer moves.

Stakeholders commenting on this issue emphasized the importance of TARE in facilitating timely adoptive placements for waiting children.



## **XI. DETERMINATION OF SUBSTANTIAL CONFORMITY**

For each outcome and systemic factor listed below, mark “Y” where the State is determined to be in substantial conformity and “N” where the State is determined not to be in substantial conformity. For each outcome or systemic factor marked “N,” place a check beside the performance indicator, listed by item number in this form, that has been determined to be an area needing improvement.

### Outcomes

#### **I. Safety**

##### N Outcome S1

       Item 1

       Item 2

##### N Outcome S2

X Item 3

X Item 4

#### **II. Permanency**

##### N Outcome P1

       Item 5

X Item 6

X Item 7

X Item 8

X Item 9

       Item 10

##### Y Outcome P2

       Item 11

       Item 12

       Item 13

       Item 14

       Item 15

       Item 16

#### **III. Child and Family Well-Being**

##### N Outcome WB1

X Item 17

X Item 18

X Item 19

X Item 20

##### N Outcome WB2

X Item 21

##### N Outcome WB3

X Item 22

X Item 23

### Systemic Factors

#### **IV. Y Statewide Information System**

       Item 24

#### **V. Y Case Review System**

       Item 25

       Item 26

       Item 27

       Item 28

       Item 29

#### **VI. Y Quality Assurance System**

       Item 30

       Item 31

#### **VII. Y Training**

       Item 32

       Item 33

       Item 34

#### **VIII. Y Service Array**

       Item 35

       Item 36

       Item 37

#### **IX. Y Agency Responsiveness to the Community**

       Item 38

       Item 39

       Item 40

#### **X. Y Foster and Adoptive Parent Licensing, Recruitment, and Retention**

       Item 41

       Item 42

       Item 43

       Item 44

       Item 45